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83D CONGRESS
1ST SESSION

H. R. 1126

IN THE HOUSE OF REPRESENTATIVES

JANUARY 6, 1953

Mr. JOHNSON introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To authorize the transfer to the regents of the University of California, for agricultural purposes, of certain real property in Napa County, California.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the Secretary of Agriculture is authorized and directed
4 to transfer and convey to the regents of the University of
5 California, upon acceptance by said regents, without cost,
6 the real property comprising twenty acres, more or less,
7 together with the buildings and improvements thereon, con-
8 stituting the United States Grape Field Station located near
9 Oakville in the county of Napa, State of California. Such
10 property shall be transferred upon the express condition that

1 it shall be used by the regents of the University of California
2 for the benefit of agriculture. In the event that the regents
3 of the University of California shall at any time cease to use
4 such property for such purposes, or attempt to alienate all
5 or any part thereof, all right, title, and interest in and to the
6 said property shall revert to the United States. Any con-
7 veyance of this property shall contain a reservation to the
8 United States of all gas, oil, coal, and other minerals and all
9 fissionable materials as may be found in such lands and the
10 right to the use of the lands for extracting and removing
11 same.

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By Mr. JOHNSON

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Referred to the Committee on Agriculture

83D CONGRESS
1ST SESSION

H. R. 3097

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 16, 1953

Mr. SCUDDER introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To authorize the transfer to the regents of the University of California, for agricultural purposes, of certain real property in Napa County, California.

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By Mr. SCUDDER

FEBRUARY 16, 1953

Referred to the Committee on Agriculture

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

Issued July 8, 1953

For actions of July 7, 1953

83rd-1st, No. 124

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

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HIGHLIGHTS: House committee reported drought-relief bill, and Rep. Hill commended it. House passed bill and discussed bill to modify mining laws regarding national forests. House sent trade-agreements bill to conference. Senate committee ordered reported drought-relief bill. Senate subcommittee voted to report wheat-quota bill. Senate passed Labor-HEW appropriation bill. Sen. Humphrey urged use of surplus food for foreign aid. Sen. Griswold introduced and discussed bill to stabilize cattle industry.

HOUSE

1. DROUGHT RELIEF. The Agriculture Committee reported with amendment H. R. 6054, to authorize emergency loans and supplies for drought relief (H. Rept. 714) (p. 8338). Rep. Hill spoke in support of the bill and reviewed the actions of the Committee and the Department to provide relief (pp. 8327-8).

2. FORESTRY. Discussed and, on objection of Rep. Hope, passed over H. R. 4983, to amend the mining laws regarding public lands. Rep. Miller, Nebr., said H. R. 5358, the Hope bill, should be pending before the Interior and Insular Affairs Committee instead of the Agriculture Committee. Rep. Price urged adequate legislation to protect against abuses under the mining laws. (pp. 8286-7.)

Passed without amendment H. R. 3956, to authorize sale of a forest tract in N. Mex. to Ed Clements (p. 8307).

The Interior and Insular Affairs Committee ordered reported (but did not actually report) H. R. 2921, to provide for management of certain reclamation-project lands in S. Dak. as national-forest land (p. D666).

Passed with amendments H. R. 334, to amend the Materials Act so as to prohibit location and patenting of mining claims under the U. S. mining laws, where such locations are based upon discovery of deposits of sand, stone, gravel, and cinders; and to provide that such deposits, when situated on public lands, can be acquired only under the Materials Act (p. 8297).

3. LAND TRANSFERS. The Agriculture Subcommittee 3 approved the following bills for reporting to the full Committee: H. R. 2458, to transfer a Forest Service tract at Cherry Point, N. C., to the Navy Department; H. R. 3097, to transfer a grape research station to the University of Calif.; H. R. 4017, to convey a rural-rehabilitation tract to an Ark. school district; and H. R. 5888, to transfer a cotton field station to N. C. (p. D666).

The Interior and Insular Affairs Committee voted to report (but did not actually report) H. R. 1797, to convey certain lands to the Okla. A&I College (p. D666).

4. TRADE AGREEMENTS. Reps. Reed of N. Y., Jenkins, Simpson of Pa., Cooper, and Dingell were appointed conferees on H. R. 5495, the trade agreements bill (p. 8299). Senate conferees were appointed July 2.

5. TRANSPORTATION. Passed as reported H. R. 3792, to authorize ICC to revoke, amend, or suspend water carrier certificates and permits under certain conditions (p. 8299).

6. PERSONNEL. Passed without amendment S. 1684 (in lieu of H. R. 5706), to facilitate civil-service appointments of persons who lost opportunity therefor because of military service after June 30, 1950, with benefits comparable to those granted World War II veterans (p. 8292). This bill will now be sent to the President.

The "Daily Digest" states: "The Gross subcommittee today considered two bills...H. R. 2754 and H. R. 2308, ...dealing with modifications of the Veterans Preference Act -- and recommended the legislation favorably. The subcommittee is having drafted language which will combine the principle of both bills into one measure. This legislation in its final form will provide that veterans must make a passing grade before being placed on a civil-service register and, secondly, that before veterans are entitled to the special preference of 10 points and going to the top of a register they must have a compensable disability (10 percent at the present time). These changes will not affect veterans who are already on established civil-service registers." (p. D667.)

Passed without amendment H. R. 5228, to provide a retirement annuity for the Comptroller General (pp. 8309-13).

7. EDUCATION. Passed without amendment H. R. 5691, to provide for an annual report by the Commissioner of Education regarding educational activities carried on by or under the supervision of, or with aid of, the executive branch (p. 8284).

The Rules Committee reported a resolution for consideration of H. R. 6049, to provide aid for education in federally affected areas (pp. 8284, 8338).

8. RECLAMATION. The Interior and Insular Affairs Committee ordered reported (but did not actually report) H. R. 4551, to amend the Reclamation Act of 1939 by removing authorization of projects by the Secretary of the Interior (p. D666).

9. FEDERAL REGISTER. Passed as reported H. R. 1806, to provide statutory authority for publication by the Administrative Committee on the Federal Register from time to time as deemed necessary (pp. 8290-1).

10. ELECTRIFICATION. The Public Works Committee reported without amendment H. R. 4351, to authorize electric-power development of the Niagara Falls and River (H. Rept. 713)(p. 8338).

11. INFORMATION. Passed without amendment S. 971, to authorize films and related material for educational use to be transmitted through the mails at the rate provided for books (p. 8295). This bill will now be sent to the President.

LAND TRANSFER TO UNIVERSITY OF CALIFORNIA

JULY 17, 1953.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. HOPE, from the Committee on Agriculture, submitted the following

REPORT

[To accompany H. R. 3097]

The Committee on Agriculture, to whom was referred the bill (H. R. 3097) to authorize the transfer to the regents of the University of California, for agricultural purposes, of certain real property in Napa County, Calif., having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

STATEMENT

The purpose of H. R. 3097 is to transfer to the University of California a 20-acre tract of land, together with buildings and improvements thereon, which has been used as an experimental vineyard. The transfer will enable the experimental program to continue and expand with a minimum cost to the Federal Government.

This tract, located near Oakville, in Napa County, Calif., was purchased by the Department of Agriculture in 1921 for \$15,000. Improvements costing \$11,210 were made between 1924 and 1927, making a total investment by the United States of \$26,210.

For budgetary reasons, only limited research has been conducted at Oakville during the past 18 years, although there is a recognized need for further experimental work in this field. The University of California has indicated a desire to conduct an active agricultural experimental program on the property and, by merely transferring this property, the United States will receive the benefits from a continuing and expanded experimental program far beyond the value of the property involved.

DEPARTMENT REPORT

Following is the letter from the Acting Secretary of Agriculture recommending passage of the bill:

MAY 27, 1953.

HON. CLIFFORD R. HOPE,
*Chairman, Committee on Agriculture,
House of Representatives.*

DEAR MR. HOPE: This is in reply to your letter of May 8, 1953, requesting this Department's recommendations on H. R. 3097, a bill to authorize the transfer to the regents of the University of California, for agricultural purposes, of certain real property in Napa County, Calif.

This bill is identical to H. R. 5314, which was passed by the House of Representatives on May 19, 1952, in the 82d Congress, 2d session. That bill was reported to the Senate without amendment on May 28, 1952 (S. Rept. 1611), but was not acted upon by the Senate.

H. R. 3097 would authorize and direct the Secretary of Agriculture to convey to the regents of the University of California a tract of approximately 20 acres, together with buildings and improvements thereon, which the Bureau of Plant Industry, Soils, and Agricultural Engineering of this Department has been using as an experimental vineyard. The tract is located near Oakville, in Napa County, Calif., and was purchased by this Department in 1921 for \$15,000.

Between 1924 and 1927 improvements costing \$11,210 were made on the property. These included a chain-link fence, two wells, pumps and pumphouses, a reservoir, a small laboratory building, and other miscellaneous improvements. A resident research worker was stationed at the Oakville station until 1933. Because of a reduction in funds at that time it was necessary to discontinue a resident research worker there. From 1933 to the present the station has been operated as an outpost for the main headquarters for grape research maintained at Fresno, Calif. Certain grape experimental material has been maintained on the station at Oakville with a minimum expenditure for labor and general care.

The area in which the Oakville station is located is one devoted largely to the growing of wine-type grapes. While our research program on grapes includes wine-grape production problems, major attention is given to table- and raisin-type varieties.

Only limited research has been conducted at Oakville during the past 18 years. It has not been possible to reactivate extensive research there with the funds available. Representatives of the grape industry as well as the University of California, knowing that our research at the Oakville station is limited and is not fully utilizing the land and facilities, and also knowing the need of the university for increased land and facilities for their grape-research program in the area, have requested the transfer of the facilities to the University of California. The university program includes not only production phases on wine-grape growing but also research on the technology of wine production.

Inasmuch as our deciduous-fruit research in California, including that on grapes, is centered at Fresno, and there is little probability of our being able to reactivate a more extensive program at Oakville, we believe the facilities at Oakville will be more effectively utilized by transferring that station to the University of California for use in research on grapes and other agricultural commodities.

The bill provides that transfer of the property shall be on the express condition that it shall be used by the regents of the University of California for the benefit of agriculture and that in the event they shall at any time cease to use such property for such purpose, or attempt to alienate all or any part thereof, all right, title, and interest in and to the said property shall revert to the United States.

The Department feels that the considerations outlined above are sufficient to offset its expenditures for the original acquisition and subsequent improvement of the property. Therefore, the Department would not be averse to the passage of H. R. 3097.

The Bureau of the Budget advises that it has no objection to the submission of this report.

Sincerely yours,

TRUE D. MORSE,
Acting Secretary.

Union Calendar No. 299

83d CONGRESS
1ST SESSION

H. R. 3097

[Report No. 873]

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 16, 1953

Mr. SCUDDER introduced the following bill; which was referred to the Committee on Agriculture

JULY 17, 1953

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83^d CONGRESS
1ST SESSION

H. R. 3097

[Report No. 873]

A BILL

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By Mr. SCRUDDER

FEBRUARY 16, 1953

Referred to the Committee on Agriculture

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amendment S. Con. Res. 40, requesting that "United States of America" be placed on exported American-made goods (H. Rept. 967)(p. 10228).

21. PUBLIC LANDS; RECLAMATION. The Interior and Insular Affairs Committee reported with amendment H. R. 4646, providing for the exchange of public lands for private sustained-yield timber lands which are acquired in connection with Federal projects (H. Rept. 972); S. 887, permitting exchange and amendment of farm units on Federal irrigation projects (H. Rept. 977); H. R. 2839, enabling the Hawaiian Homes Commission to exchange certain lands for public lands (H. Rept. 979); and H. R. 5731, authorizing the De Luz Dam, Calif. (H. Rept. 984)(p. 10228).
22. BUDGETING; PROPERTY. The Government Operations Committee reported with amendment H. R. 2, to provide that Federal expenditures shall not exceed revenues except under certain conditions (H. Rept. 981); and without amendment H. R. 6382, to extend until June 30, 1954, the period during which GSA may conduct negotiated sales of surplus property (H. Rept. 982)(p. 10228).
23. IMMIGRATION. The Judiciary Committee reported with amendment H. R. 6481, to authorize entry of refugees, etc., into this country (H. Rept. 974), and the Rules Committee reported a resolution for its consideration (p. 10228).
24. TAXATION; PAYROLLING. The Ways and Means Committee reported with amendment H. R. 6413, to permit the Federal Government to withhold from employees' wages certain municipal taxes (H. Rept. 992)(p. 10229).
25. WATER COMPACT. Passed without amendment S. 1197, consenting to a water compact between Nebr., Wyo., and S. Dak. (p. 10140). This bill will now be sent to the President.
26. ELECTRIFICATION. Passed without amendment H. R. 3598, to consolidate the Parker and Davis Dam projects (p. 10133).
27. MINERALS. Passed with amendment S. 2220, to amend the mineral leasing laws regarding pipelines passing through the public domain (pp. 10132, 10143-4).
Passed with amendment S. 1397, relating to mining claims located on land with respect to which a permit or lease has been issued, or an application of offer for permit or lease has been made, under the mineral leasing laws, etc., after Rep. Gavin first objected and spoke about his concern for protection of the surface values on national forest land (pp. 10133, 10141).
28. LAND TRANSFERS. Passed as reported H. R. 1797, to convey certain land to Eastern Oklahoma Agricultural and Mechanical College (pp. 10133-5).
Passed as reported H. R. 2458, to authorize transfer of a tract of national forest land at Cherry Point, N. C., to the Navy (p. 10137).
Passed without amendment H. R. 3097, to authorize transfer of a grape-research station to the U. of Calif. (pp. 10137-8).
Passed without amendment H. R. 5883, to authorize transfer of a cotton field station to N. C. (p. 10138).
Passed as reported H. R. 107, to provide for transfer of the site of the original Ft. Buford, N. Dak., to N. Dak. (p. 10140).
29. ORCHARD LOANS. Passed without amendment H. R. 4158, to extend for 5 years the USDA authority to make certain loans to orchardists in the Pacific Northwest (pp. 10140-1, 10144).
30. PERSONNEL. Passed as reported H. R. 6185, to amend the Veterans' Preference Act with respect to disabled veterans (p. 10142).

31. APPROPRIATIONS. Received the second conference report on H. R. 4663, the 1st independent offices appropriation bill, 1954 (H. Rept. 997)(pp. 10220-2).
Received the conference report on H. R. 5246, the Labor-HEW appropriation bill for 1954 (H. Rept. 995)(pp. 10222-5).
Received the conference report on H. R. 5471, the D. C. appropriation bill for 1954 (H. Rept. 996)(pp. 10225-6).
32. BANKING AND CURRENCY. Rep. Patman claimed the Federal Reserve Board has "launched a propaganda drive for permanent controls over installment credit which are nothing more than trade controls" (pp. 10218-20).
Rep. Deane discussed the Government's fiscal policy and the impact of recent interest-rate increases on the economy (pp. 10211-17).
33. RUBBER. Received the conference report on H. R. 5728, to dispose of Government rubber-producing plants (H. Rept. 999)(pp. 10182-7).
34. REORGANIZATION. Rep. Brown of Ohio, Rep. Holifield, Joseph P. Kennedy, and Sidney A. Mitchell were appointed to the Commission on Organization of the Executive Branch of the Government (p. 10125).
35. CREDIT UNIONS. Passed without amendment S. 873, to amend the D. C. Credit Unions Act to bring it into line with the Federal Credit Unions Act (p. 10160). This bill will now be sent to the President.
36. SMALL BUSINESS. Agreed to the conference report on H. R. 514, to create a Small Business Administration (pp. 10172-82).
37. FOUNDATIONS INVESTIGATION. Agreed to, with amendment, H. Res. 217, to create a select committee to investigate foundations (pp. 10188-203).

BILLS INTRODUCED

38. PROPERTY. H. R. 6534, by Rep. Bender, to provide for Federal payments in lieu of taxes on property; to Interior and Insular Affairs (p. 10229).
H. J. Res. 310, by Rep. Mason, relating to prohibitions upon giving or lending of Government property to any foreign government or international organization; to Judiciary Committee (p. 10230).
39. REORGANIZATION. H. R. 6535, by Rep. Dodd, to amend the Reorganization Act of 1939 so as to authorize either House to disapprove specific provisions in reorganization plans; to Government Operations Committee (p. 10229).
40. PERSONNEL. H. R. 6537, by Rep. Forand, and H. R. 6539, by Rep. Mason, to amend the Social Security Act to provide unemployment insurance for Federal civilian employees; to Ways and Means Committee (p. 10229).
41. CLAIMS. H. R. 6541, by Rep. Miller, Calif., to extend the time for filing claims on behalf of certain claimants; to Judiciary Committee (p. 10229).
42. MINERALS. H. R. 6543, by Rep. Pfof, to create a Department of Mineral Resources; to Government Operations Committee (p. 10229).
43. POSTAL RATES. H. R. 6544, by Rep. Reams, to establish a postal rate-making procedure under the executive department; to Post Office and Civil Service Committee (pp. 10229-30).
44. WOOL. H. R. 6548, by Rep. Hagen, Calif., to amend the Tariff Act to encourage

"(b) (1) Notwithstanding subsection (a), the Secretaries of the uniformed services are authorized to specify an effective date for the retirement for permanent physical disability or placement on a temporary disability retired list of members of their respective uniformed services which is earlier than the date for retirement provided for in subsection (a).

"(2) For the purposes of paragraph (1)—
 "(A) the term 'uniformed services' shall have the same meaning as when used in the Career Compensation Act of 1949;

"(B) the term 'Secretaries' includes the Secretary of the Army, the Secretary of the Navy, the Secretary of the Air Force, the Secretary of the Treasury, the Secretary of Commerce, and the Federal Security Administrator."

With the following committee amendment:

Page 2, line 12, strike out "Federal Security Administrator" and insert "Secretary of Health, Education, and Welfare."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PRINTING AND MAILING OF CERTAIN PUBLICATIONS AT OTHER THAN PLACES OF PUBLICATION

The Clerk called the bill (H. R. 5379) to authorize the printing and mailing of periodical publications of certain societies and institutions at places other than places fixed as the offices of publication.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the last proviso of the ninth paragraph under the heading "Office of the Third Assistant Postmaster General" of the first section of the act entitled "An act making appropriations for the Post Office Department for the fiscal year ending June 30, 1913, and for other purposes," approved August 24, 1912, as amended (39 U. S. C., sec. 229), is amended by striking out the comma after the word "board" and the following: "and such publication shall be printed at such place and entered at the nearest post office thereto."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TRANSFERRING MAINTENANCE AND OPERATION OF HOSPITAL AND HEALTH FACILITIES FOR INDIANS TO THE PUBLIC HEALTH SERVICE

The Clerk called the bill (H. R. 303) to transfer the administration of health services for Indians and the operation of Indian hospitals to the Public Health Service.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. STEED. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

TRANSFER OF LAND TO MARINE CORPS AIR STATION

The Clerk called the bill (H. R. 2458) to authorize the transfer of certain land located at Cherry Point, N. C., and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BARDEN. Mr. Speaker, reserving the right to object, will some member of the committee please explain this bill?

Mr. HOPE. Mr. Speaker, will the gentleman yield?

Mr. BARDEN. I yield to the gentleman from Kansas.

Mr. HOPE. This bill simply authorizes the Secretary of Agriculture to transfer to the control of the Department of the Navy a parcel of land consisting of 37.6 acres at Cherry Point, N. C., which is, as I understand, the site of the Marine Corps base. It was stated to the committee it is needed for the extension of some runways. The Department of Agriculture has no objection to it. That is about all there is to it.

Mr. BARDEN. I do not know that I have any objection. I just like to know what is going on in my own front yard. It is only a few miles from where I live. I have no objection.

Mr. HOPE. It is presently being used by the Marine Corps, I understand. It is simply legalizing what is already being done, as I understand it.

Mr. BARDEN. I have no objection. There is a national forest there adjoining the Marine airbase, as far as that is concerned, and I am interested in any law that affects either.

It would be a very simple matter for the Forestry Department or the Navy Department to let me know about a matter of this kind. They know or should know that I am going to know the effect of a bill of this type before it passes. They probably prefer to learn this the hard way.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of Agriculture is authorized and directed to transfer to the jurisdiction and control of the Department of the Navy, without exchange of funds and for such period as it shall be used for military purposes, a parcel of land at Cherry Point, N. C., consisting of 37.6 acres, more or less, a metes and bounds description of which is on file in the Department of the Navy, for use in connection with the Marine Corps Air Station, Cherry Point, N. C.

With the following committee amendment:

Page 1, line 7, after "North Carolina", strike out the balance of 7, all of lines 8, 9, and 10 on page 1, and the words "Point, N. C.", and on page 2, insert for use in connection with the Marine Corps Air Station, Cherry Point, N. C., said land consisting of all that tract, piece, or parcel of land containing thirty-seven and six hundred twenty-four one-thousandths acres, excluding Hancock Creek, lying, situate and being in township 5, Craven County, North Carolina, and bounded as follows: North by lands of Kitty

Hyman, heirs; east by lands of United States Forest Service; south by lands of Rena Styles, heirs; and west by Hancock Creek; said property being more particularly described as follows:

"Commencing at a monument being the United States Department of Agriculture Forest Service Class "A" corner numbered 340 (a three-inch diameter concrete monument with bronze insert dated 1935) and running south twelve degrees thirty minutes east a distance of one thousand thirty and three-tenths feet to a point; thence south seventy-two degrees ten minutes west a distance of two thousand nine hundred and sixty-nine feet to the point of beginning; thence south seventy-two degrees ten minutes west a distance of two thousand and ninety-five feet to a point on the east bank of Hancock Creek; (from this point to a point where the property line leaves Hancock Creek the following courses and distance may be run: North thirty-seven degrees twenty-five minutes west a distance of one hundred and forty-six feet to a point; thence north twenty-five degrees fifty minutes east a distance of two hundred and forty-five feet to a point; thence north sixteen degrees fifty minutes west a distance of one hundred and sixty-nine feet to a point; thence north thirty-two degrees five minutes east a distance of one hundred and forty-six feet to a point; thence north eleven degrees thirty minutes east a distance of one hundred and seventy-nine feet to a point; thence north seven degrees thirty minutes east a distance of one hundred and eighty-two feet to a point; thence north twenty-eight degrees ten minutes east a distance of fifty-eight feet to the point where the line leaves Hancock Creek); thence running in a northerly direction along the meanders of the east bank of Hancock Creek to a point; thence leaving the east bank of Hancock Creek and running north seventy-two degrees no minutes east a distance of one thousand two hundred and eighty-nine feet to a point; thence south thirty-eight degrees forty-eight minutes east a distance of one thousand eleven and three-tenths feet to the point of the beginning. The above-mentioned tract being more fully shown on a map entitled "Runway 32, Land Acquisition Map, U. S. Marine Corps Air Station, Cherry Point, N. C.," dated April 20, 1951 and by Albert R. Bell, C. E. of New Bern, N. C.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LAND TRANSFERRED TO UNIVERSITY OF CALIFORNIA

The Clerk called the bill (H. R. 3097) to authorize the transfer to the regents of the University of California, for agricultural purposes, of certain real property in Napa County, Calif.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of Agriculture is authorized and directed to transfer and convey to the regents of the University of California, upon acceptance by said regents, without cost, the real property comprising 20 acres, more or less, together with the buildings and improvements thereon, constituting the United States Grape Field Station located near Oakville, in the county of Napa, State of California. Such property shall be transferred upon the express condition that it shall be used by the

regents of the University of California for the benefit of agriculture. In the event that the regents of the University of California shall at any time cease to use such property for such purposes, or attempt to alienate all or any part thereof, all right, title, and interest in and to the said property shall revert to the United States. Any conveyance of this property shall contain a reservation to the United States of all gas, oil, coal, and other minerals and all fissionable materials as may be found in such lands and the right to the use of the lands for extracting and removing same.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COTTON FIELD STATION TRANSFERRED TO NORTH CAROLINA

The Clerk called the bill (H. R. 5888) to authorize the transfer of certain lands to the State of North Carolina, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of Agriculture is authorized to transfer and convey to the State of North Carolina, without monetary consideration, the real property owned by the United States, comprising 133 acres, more or less, together with the buildings and improvements thereon, constituting the United States cotton field station located near Statesville in the county of Iredell, State of North Carolina. Such property shall be transferred and conveyed only upon the agreement of the North Carolina to furnish to the United States Department of Agriculture, without cost, land and other facilities for use in carrying out plant, soil, and agricultural engineering research for a term, or terms, sufficient to make the total rental value of such land and other facilities equal to the present appraised fair market value of the Statesville Station, and for such period thereafter as may be mutually agreed upon by the parties.

The bill was ordered to be engrossed and read a third time, was read the third time, as passed, and a motion to reconsider was laid on the table.

EXEMPTION FROM LIMITATION ON DUAL COMPENSATION OF CERTAIN OFFICERS

The Clerk called the bill (H. R. 5959) to exempt certain commissioned officers retired for disabilities caused by instrumentalities of war from the limitation prescribed by law with respect to the combined rate of retired pay and of compensation as civilian employees of the Government which retired officers may receive.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the proviso in section 212 (b) of the act entitled "An act making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1933, and for other purposes," approved June 30, 1932 (5 U. S. C., sec. 59a (b)), is amended to read as follows: "Provided, That this section shall not apply to any regular or emergency commissioned officer retired for disability (1) incurred in combat with an enemy of the United States, or (2) caused by an instrumentality of war and incurred in line of duty during an enlistment or employment as provided in Veterans' Regulation No. 1 (a), part I, paragraph I."

SEC. 2. The amendment made by the first section of this act shall take effect as of January 1, 1951.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING SECTION 39 OF TRADING WITH THE ENEMY ACT

The Clerk called the bill (H. R. 5741) to amend section 39 of the Trading With the Enemy Act of October 6, 1916, as amended.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GAVIN. Mr. Speaker, reserving the right to object, may I have an explanation of the bill?

Mr. DEMPSEY. This bill was introduced at the request of the Attorney General of the United States who finds present law not adequate in his opinion to authorize transfer from the Alien Property Custodian fund to the War Claims Commission the money this Congress voted he should transfer.

We had a vote on this last year, 324 to nothing for the bill. This is nothing new except a clarification of the law.

Mr. GAVIN. Mr. Speaker, I withdraw my reservation of objection.

Mr. BYRNES of Wisconsin. Mr. Speaker, reserving the right to object, as I understand, the Department of Justice and the Bureau of the Budget in passing generally on this legislation did suggest an amendment which I understand six members of the Committee on Interstate and Foreign Commerce supported and filed minority views. I am wondering whether any of those gentlemen are present on the floor at this time and whether they feel that failure of this committee to include their suggestions makes the bill so defective that it should be considered under some rule whereby more detailed consideration can be given to it.

Mr. DEMPSEY. I talked to several of them this morning. They did not propose to objection, insofar as I know.

Mr. HINSHAW. Mr. Speaker, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield.

Mr. HINSHAW. The gentleman from Wisconsin is correct, but the six members had not considered that this bill might be brought up on the Consent Calendar. We would rather for the most part at least see the bill passed now and corrected in the Senate than to hold it up.

Mr. DEMPSEY. I agree with the gentleman.

Mr. SCOTT. Mr. Speaker, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield.

Mr. SCOTT. May I say to the gentleman that the matter raised was also considered in the Rules Committee but the Rules Committee nevertheless were unanimous in reporting out a rule.

Mr. DEMPSEY. Let me say this to the gentleman: There are 57,000 boys affected by this bill who are going to the Post Office every day for their checks. There are more than 20,000 checks ready

to go out, but transfer of the necessary funds needs this legislative sanction.

I am sure you will recall that Public Law 303 in the 82d Congress, which provided that about 132,000 of these former prisoners-of-war or their surviving dependents should be paid for the inhumane treatment endured by these boys in the World War II enemy prison camps, was passed without a dissenting voice in the House or the Senate. As a result of that law the Alien Property Office made funds available to pay about 60,000 of the 117,000 claims filed. The money came from funds and property which had belonged to our former enemies. It is not intended to come from our taxpayers. It is not an appropriation.

When the transferred funds had been exhausted by the War Claims Commission, 57,000 claims remained unpaid. These boys have waited nearly 7 years for the money to which they were entitled under the terms of the Geneva Prisoner-of-War Convention. Long ago our country paid to the prisoners we held—or to the nations for whom they fought—a total of \$179,000,000. The men who fought against us didn't have to wait. Most certainly our own men should be neglected no longer.

These boys need that money. Many of them are plagued by adversity right now. Others have homes for which this money will help to pay. Daily I receive letters asking why they haven't been paid what justly belongs to them. It is hard to have to tell them they still are "forgotten men."

All that we have to do to take them out of that realm is to pass this bill and give legislative sanction to the transfer of the necessary funds. I know you will agree with me that it should be granted.

Mr. WOLVERTON. Mr. Speaker, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield.

Mr. WOLVERTON. The Committee on Interstate and Foreign Commerce gave consideration to this matter. All are agreed, even the six to whom reference has been made and who filed minority views. Their opposition is not to the purpose of the bill in which the gentleman from New Mexico is interested. While this bill bears my name, yet frankly it is the bill of the gentleman from New Mexico [Mr. DEMPSEY] who has worked assiduously, aggressively, and intelligently in behalf of this legislation. I am personally of the opinion that great harm would be done to a great number of servicemen if this bill were not passed at this time.

I hope any objection to it will be withdrawn.

Mr. Speaker, the bill under consideration, H. R. 5741, is a committee substitute for the bill originally introduced by our colleague from New Mexico [Mr. DEMPSEY]. He has worked long and hard in favor of this legislation. He is entitled to great credit for the persevering and aggressive fight he has made. His whole thought is to make certain that moneys should be made available to enable the payment of claims of our war prisoners, mostly service men, that have been approved by the War Claims Commission. I repeat that the

83^d CONGRESS
1ST SESSION

H. R. 3097

IN THE SENATE OF THE UNITED STATES

JULY 28 (legislative day, JULY 27), 1953

Read twice and referred to the Committee on Agriculture and Forestry

AN ACT

To authorize the transfer to the regents of the University of California, for agricultural purposes, of certain real property in Napa County, California.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the Secretary of Agriculture is authorized and directed
4 to transfer and convey to the regents of the University of
5 California, upon acceptance by said regents, without cost,
6 the real property comprising twenty acres, more or less,
7 together with the buildings and improvements thereon, con-
8 stituting the United States Grape Field Station located near
9 Oakville in the county of Napa, State of California. Such
10 property shall be transferred upon the express condition that

1 it shall be used by the regents of the University of California
2 for the benefit of agriculture. In the event that the regents
3 of the University of California shall at any time cease to use
4 such property for such purposes, or attempt to alienate all
5 or any part thereof, all right, title, and interest in and to the
6 said property shall revert to the United States. Any con-
7 veyance of this property shall contain a reservation to the
8 United States of all gas, oil, coal, and other minerals and all
9 fissionable materials as may be found in such lands and the
10 right to the use of the lands for extracting and removing
11 same.

Passed the House of Representatives July 27, 1953.

Attest:

LYLE O. SNADER,

Clerk.

AN ACT

To authorize the transfer to the regents of the University of California, for agricultural purposes, of certain real property in Napa County, California.

JULY 28 (legislative day, JULY 27), 1953

Read twice and referred to the Committee on
Agriculture and Forestry

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued June 3, 1954
For actions of June 2, 1954
83rd-2nd, No. 101

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HIGHLIGHTS: Senate passed agricultural appropriation bill. Senate committee voted to report bills to extend Commodity Exchange Act to onions and increase fees, authorize additional contract research, authorize banks for cooperatives to issue consolidated debentures, and modify peanut allotment legislation. Sen. Reall commended President's farm program. Rep. Yorty criticized flexible price supports and USDA dairy program. Rep. Hope introduced bill to increase market development and acquire agricultural information in foreign countries.

SENATE

1. AGRICULTURAL APPROPRIATION BILL, 1955. Passed with amendments this bill, H. R. 8779 (pp. 7070-91). (See page 5 for excerpts from Senate committee report.)
Sens. Young, Ferguson, McCarthy, Mundt, Aiken, Russell, Hayden, and McCarran were appointed conferees. (p. 7091).

Agreed to the following amendments:

- By Sen. Douglas, to increase the authorization for RRA electrification loans from \$100,000,000 to \$135,000,000; by a vote of 42 to 40. A motion was made to reconsider the vote, and that motion was laid on the table by a vote of 43 to 39. (pp. 7070-83.)
- By Sen. Monroney, to increase the item for watershed protection from \$5,000,000 to \$6,000,000 (pp. 7089-90).
- By Sen. Eastland, to amend the language of the Marketing Service appropriation so as to require the opening of three cotton classing offices in Miss. (p. 7091).
- By Sen. Welker, to increase the item for White Pine Blister Rust Control by \$60,000 (p. 7091).

Rejected the following amendments:

- By Sen. Long, to increase the School Lunch Program by \$10,000,000 for non-food assistance, by a vote of 39 to 43 (pp. 7084-7).
- By Sen. Morse, to increase the contingency authorization for electrification loans from \$35,000,000 to \$70,000,000, by a vote of 22 to 61 (pp. 7087-9).

2. COMMODITY EXCHANGES; RESEARCH; PEANUTS; FARM LOANS; LAND TRANSFERS. The Agriculture and Forestry Committee voted to report (but did not actually report) H. R. 6435, to amend the Commodity Exchange Act to include onions (amendment would provide that the bill take effect 60 days after enactment); and without amendment S. 2367, to authorize this Department to contract for research on projects in addition to those covered by the Research and Marketing Act; S. 2715, to permit peanut farmers to come under price supports, under certain circumstances, without penalty for exceeding their acreage allotments; S. 3207, to authorize the Secretary to fix reasonable fees and charges under the Commodity Exchange Act for registration and renewal; S. 3487, to authorize the Central Bank for Cooperatives and the regional banks for cooperatives to issue consolidated debentures; S. J. Res. 134, to direct the Secretary to quitclaim retained rights to a tract of former FHA land to the Board of Education of Irwin County, Ga.; H. R. 107, to provide for transfer to N. Dak. of a former tract of FHA land at Fort Buford; H. R. 3097, to donate the USDA Grape Station at Oakville, Calif., to the University of California; and H. R. 4017, to convey certain land and improvements (formerly FHA) to the England Special School District, Ark. (p. D614).
3. PERSONNEL. S. 2728, to authorize the collection of indebtedness of military and civilian personnel resulting from erroneous payments, was made the unfinished business (p. 7109).
4. CCC AUDIT. Received the GAO audit report on CCC, part 2, for the fiscal year 1952 (p. 7062).
5. RECLAMATION. The Interior and Insular Affairs Committee reported with amendment S. 3336, to include Nevada among the States authorized to negotiate a compact for apportioning Columbia River waters (S. Rept. 1494) (p. 7062).
6. PRICE SUPPORTS. Sen. Beall commended the President's farm program and inserted a Frederick (Md.) Chamber of Commerce resolution on this matter (p. 7064).

HOUSE

7. SOCIAL SECURITY. Rep. Elliott spoke in favor of H. R. 9366, the social security bill (p. 7112).
8. PUBLIC LANDS. A subcommittee voted to report to the full Interior and Insular Affairs Committee H. R. 8896, to amend the mineral leasing laws to provide for multiple mineral development of the same tracts of public lands (p. D617).
9. EDUCATION. The Veterans' Affairs Committee reported with amendment H. R. 9395, to provide 2 additional years for initiating a course of training under the Korean GI bill (H. Rept. 1704) (p. 7130).
10. LOBBYING. Received the quarterly report of registrations under the Lobbying Act (pp. 7132-67).

BILLS INTRODUCED

11. RICE IMPORTS. S. 3545, by Sen. Ellender (for himself and others), and H. R. 9418, by Rep. Thompson of La., to remove Patna rice from the free list; to House Ways and Means Committee and Senate Finance Committee (pp. 7063, 7131).
12. SOIL CONSERVATION. H. R. 9419, by Rep. Young, "to amend the Soil Conservation and Domestic Allotment Act"; to Agriculture Committee (p. 7131).

LAND TRANSFER TO THE UNIVERSITY OF CALIFORNIA

JUNE 3 (legislative day, MAY 13), 1954.—Ordered to be printed

Mr. AIKEN, from the Committee on Agriculture and Forestry,
submitted the following

R E P O R T

[To accompany H. R. 3097]

The Committee on Agriculture and Forestry, to whom was referred the bill (H. R. 3097) to authorize the transfer to the regents of the University of California, for agricultural purposes, of certain real property in Napa County, Calif., having considered the same, report thereon with a recommendation that it do pass without amendment.

The report submitted to the House of Representatives by the Committee on Agriculture (H. Rept. No. 873) is attached hereto and made a part of this report.

[H. Rept. No. 873, 83d Cong., 1st sess.]

The Committee on Agriculture, to whom was referred the bill (H. R. 3097) to authorize the transfer to the regents of the University of California, for agricultural purposes, of certain real property in Napa County, Calif., having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

STATEMENT

The purpose of H. R. 3097 is to transfer to the University of California a 20-acre tract of land, together with buildings and improvements thereon, which has been used as an experimental vineyard. The transfer will enable the experimental program to continue and expand with a minimum cost to the Federal Government.

This tract, located near Oakville, in Napa County, Calif., was purchased by the Department of Agriculture in 1921 for \$15,000. Improvements costing \$11,210 were made between 1924 and 1927, making a total investment by the United States of \$26,210.

For budgetary reasons, only limited research has been conducted at Oakville during the past 18 years, although there is a recognized need for further experimental work in this field. The University of California has indicated a desire to conduct an active agricultural experimental program on the property and, by merely transferring this property, the United States will receive the benefits from

a continuing and expanded experimental program far beyond the value of the property involved.

DEPARTMENT REPORT

Following is the letter from the Acting Secretary of Agriculture recommending passage of the bill:

MAY 27, 1953.

HON. CLIFFORD R. HOPE,
*Chairman, Committee on Agriculture,
House of Representatives.*

DEAR MR. HOPE: This is in reply to your letter of May 8, 1953, requesting this Department's recommendations on H. R. 3097, a bill to authorize the transfer to the regents of the University of California, for agricultural purposes, of certain real property in Napa County, Calif.

This bill is identical to H. R. 5314, which was passed by the House of Representatives on May 19, 1952, in the 82d Congress, 2d session. That bill was reported to the Senate without amendment on May 28, 1952 (S. Rept. 1611), but was not acted upon by the Senate.

H. R. 3097 would authorize and direct the Secretary of Agriculture to convey to the regents of the University of California a tract of approximately 20 acres, together with buildings and improvements thereon, which the Bureau of Plant Industry, Soils, and Agricultural Engineering of this Department has been using as an experimental vineyard. The tract is located near Oakville, in Napa County, Calif., and was purchased by this Department in 1921 for \$15,000.

Between 1924 and 1927 improvements costing \$11,210 were made on the property. These included a chain-link fence, two wells, pumps and pumphouses, a reservoir, a small laboratory building, and other miscellaneous improvements. A resident research worker was stationed at the Oakville station until 1933. Because of a reduction in funds at that time it was necessary to discontinue a resident research worker there. From 1933 to the present the station has been operated as an outpost for the main headquarters for grape research maintained at Fresno, Calif. Certain grape experimental material has been maintained on the station at Oakville with a minimum expenditure for labor and general care.

The area in which the Oakville station is located is one devoted largely to the growing of wine-type grapes. While our research program on grapes includes wine-grape production problems, major attention is given to table- and raisin-type varieties.

Only limited research has been conducted at Oakville during the past 18 years. It has not been possible to reactivate extensive research there with the funds available. Representatives of the grape industry as well as the University of California, knowing that our research at the Oakville station is limited and is not fully utilizing the land and facilities, and also knowing the need of the university for increased land and facilities for their grape-research program in the area, have requested the transfer of the facilities to the University of California. The university program includes not only production phases on wine-grape growing but also research on the technology of wine production.

Inasmuch as our deciduous-fruit research in California including that on grapes, is centered at Fresno, and there is little probability of our being able to reactivate a more extensive program at Oakville, we believe the facilities at Oakville will be more effectively utilized by transferring that station to the University of California for use in research on grapes and other agricultural commodities.

The bill provides that transfer of the property shall be on the express condition that it shall be used by the regents of the University of California for the benefit of agriculture and that in the event they shall at any time cease to use such property for such purpose, or attempt to alienate all or any part thereof, all right, title, and interest in and to the said property shall revert to the United States.

The Department feels that the considerations outlined above are sufficient to offset its expenditures for the original acquisition and subsequent improvement of the property. Therefore, the Department would not be averse to the passage of H. R. 3097.

The Bureau of the Budget advises that it has no objection to the submission of this report.

Sincerely yours,

TRUE D. MORSE,
Acting Secretary.

Calendar No. 1512

83^D CONGRESS
2^D SESSION

H. R. 3097

[Report No. 1499]

IN THE SENATE OF THE UNITED STATES

JULY 28 (legislative day, JULY 27), 1953

Read twice and referred to the Committee on Agriculture and Forestry

JUNE 3 (legislative day, MAY 13), 1954

Reported by Mr. AIKEN, without amendment

AN ACT

To authorize the transfer to the regents of the University of California, for agricultural purposes, of certain real property in Napa County, California.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the Secretary of Agriculture is authorized and directed
4 to transfer and convey to the regents of the University of
5 California, upon acceptance by said regents, without cost,
6 the real property comprising twenty acres, more or less,
7 together with the buildings and improvements thereon, con-
8 stituting the United States Grape Field Station located near
9 Oakville in the county of Napa, State of California. Such
10 property shall be transferred upon the express condition that

1 it shall be used by the regents of the University of California
2 for the benefit of agriculture. In the event that the regents
3 of the University of California shall at any time cease to use
4 such property for such purposes, or attempt to alienate all
5 or any part thereof, all right, title, and interest in and to the
6 said property shall revert to the United States. Any con-
7 veyance of this property shall contain a reservation to the
8 United States of all gas, oil, coal, and other minerals and all
9 fissionable materials as may be found in such lands and the
10 right to the use of the lands for extracting and removing
11 same.

Passed the House of Representatives July 27, 1953.

Attest:

LYLE O. SNADER,

Clerk.

83^d CONGRESS
2^d Session

H. R. 3097

[Report No. 1499]

AN ACT

To authorize the transfer to the regents of the University of California, for agricultural purposes, of certain real property in Napa County, California.

JULY 28 (legislative day, JULY 27), 1953

Read twice and referred to the Committee on Agriculture and Forestry

JUNE 3 (legislative day, MAY 18), 1954

Reported without amendment

appropriation bill
/today and that the trade-agreements bill will be considered Friday (p. 7541).

SENATE

6. TOBACCO QUOTAS. Concurred in the House amendments to S. 3050, to increase the penalty on marketing tobacco in excess of quotas from 40% to 50% of the average market price, effective July 1, 1955 (pp. 7498-9). This bill will now be sent to the President.
7. STATE, JUSTICE, COMMERCE APPROPRIATION BILL, 1955. The Appropriations Committee reported with amendments this bill, H. R. 8067 (S. Rept. 1541)(p. 7458).
8. MOTOR VEHICLES; PROPERTY; EXTENSION WORK. The Government Operations Committee reported without amendment S. 3199, to authorize additional use of Government motor vehicles at isolated Government installations (S. Rept. 1536); S. 3243, to extend until June 30, 1955, the period during which disposals of surplus property may be made by negotiation (S. Rept. 1537); and H. J. Res. 300, to sell certain surplus land in Kerr County, Tex., to the Texas Hill County Development Foundation for use of 4-H clubs, etc. (S. Rept. 1538)(p. 7458).
9. PERSONNEL; EXPENDITURES. Sen. Byrd inserted an additional report of the Joint Committee on Reduction of Nonessential Federal Expenditures regarding employment (pp. 7458-61).
9. TRADE AGREEMENTS. Sen. Gillette spoke in favor of continuation of the Reciprocal Trade Agreements Act and criticized the Republican leadership for not acting sooner on this matter. Sen. Ferguson took issue with him on this and stated that no hardship would result if the Act is not extended prior to its expiration. (pp. 7464-7.)
10. PRICE SUPPORTS. Sen. Beall defended Secretary Benson's flexible price-support program and outlined the various farm and other organizations which participated in its development (p. 7487).
11. CONTAINERS. The Interstate and Foreign Commerce Committee ordered reported (but did not actually report) H. R. 8357, to amend the Standard Container Act to provide for a 3/8 bushel basket (p. D654).
12. TAXATION. The Finance Committee completed marking up H. R. 8300, the general tax revision bill, following which it was announced that the Committee had taken further tentative actions with respect to provisions of the House-passed version, including Sec. 175 on soil-water conservation expenditures, as follows: "The committee reconsidered this provision and decided to make it applicable in the case of certain special assessment expenditures of the taxpayer for water conservation" (pp. D652-4).
13. LAND TRANSFER. H.R. 3097, to donate the USDA Grape Station at Oakville Calif., to the Univ. of Calif., was made the Senate's unfinished business (p. 7500).
14. ADJOURNED until Fri., June 11 (p. 7502). The Legislative Program as announced by Majority Leader Knowland: Fri., it is expected that the unfinished business will be laid aside and the State, Justice, Commerce appropriation bill will be considered (p. 7502).

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued June 10, 1954
For actions of June 9, 1954
83rd-2nd, No. 106

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HIGHLIGHTS: House passed O&C land jurisdiction bill. House committees reported bills to dispose of surplus commodities and to authorize Colo. reclamation project. House debated Labor-HEW appropriation bill. Senate concurred in House amendments to bill to increase excess-tobacco penalty. Senate committees reported State, Justice, Commerce appropriation bill. Sen. Beall defended Secretary's price-support program. Sen. Gillette criticized leadership for not acting sooner on trade-agreements bill, and Sen. Ferguson took issue with him. Sen. Thye inserted his recent speech discussing use of surplus commodities.

HOUSE

1. FORESTRY. Passed without amendment S. 2225, relating to administrative jurisdiction over certain O&C land in Oreg. (pp. 7539-41). This bill will now be sent to the President. The bill provides for continued administration of the controverted lands by the Forest Service, with accounting of funds heretofore or hereafter received to be the same as for other O&C land receipts, and provides for consolidation of the checker-board administrative areas through exchanges of land by the Agriculture and Interior Departments.
2. SURPLUS COMMODITIES. The Agriculture Committee reported with amendment S. 2475, to authorize the President to use agricultural commodities to improve the foreign relations of the U. S. (H. Rept. 1776)(p. 7552).
3. RECLAMATION. The Interior and Insular Affairs Committee reported with amendment H. R. 4449, to authorize Interior to construct, operate, and maintain the Colorado River storage project and participating projects (H. Rept. 1774)(p. 7552).
4. LABOR-HEW APPROPRIATION BILL, 1955. Continued debate on this bill, H. R. 9447 (pp. 7505-39). Agreed to an amendment by Rep. Abbitt to increase by \$5,298,750 the amount for vocational education, particularly in agriculture (pp. 7516-32). Rejected, 77-81, an amendment by Rep. Van Zandt to provide \$100,000, under Bureau of Labor Standards, for assisting organizations that work to improve the condition of migratory farm workers (pp. 7505-10).
5. LEGISLATIVE PROGRAM. Rep. Halleck said debate would continue on the Labor-HEW

Representatives to the bill (S. 3050) to amend the Agricultural Adjustment Act of 1938, as amended, which were, in line 11, strike out "October 1, 1954," and insert "December 1, 1954"; and in line 13, strike out "July 1, 1954," and insert "July 1, 1955."

Mr. CLEMENTS. Mr. President, the House amendments changed only one date in the bill. Since the change is agreeable to all parties who introduced the bill in both the House and the Senate, and it is agreeable to all parties in interest in the trade, I move that the Senate concur in the House amendments.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. CLEMENTS. I yield.

Mr. SALTONSTALL. Do I correctly understand that the amendments are agreeable to the members of the committee on this side of the aisle?

Mr. CLEMENTS. They are agreeable to the chairman of the Committee on Agriculture and Forestry, and have the approval of the majority leader.

Mr. SALTONSTALL. I thank the Senator.

Mr. BUTLER of Nebraska. Mr. President, will the Senator yield?

Mr. CLEMENTS. I yield.

Mr. BUTLER of Nebraska. May I ask if the matter has had the consideration of not only the chairman but of all members of the Committee on Agriculture and Forestry?

Mr. CLEMENTS. The bill had the approval of the entire membership of the committee when it was reported to the Senate and acted on by the Senate. The House has made only one change in the bill, and that is with reference to the date of its effectiveness. The House amendments have the approval of all members of the committee who have any interest in the item, which is tobacco.

Mr. BUTLER of Nebraska. Is this the bill which provides for a 1-year extension?

Mr. CLEMENTS. No. The bill provides for an increase in the penalty on tobacco which is grown in excess of the quotas.

Mr. BUTLER of Nebraska. I thank the Senator from Kentucky.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. CLEMENTS. I am glad to yield to my colleague.

Mr. COOPER. May I ask if this is the final action on a bill that was introduced by my colleague, and in which I joined, which would raise the penalty on excess tobacco from 40 percent to 50 percent?

Mr. CLEMENTS. That is correct.

The bill was amended by the House. An error was made in the date, and action taken by the House on Monday was vacated yesterday. The bill was then amended yesterday to change the date from July 1, 1954, to July 1, 1955, on flue-cured tobacco. The date with respect to all other tobaccos remains the same.

This is the final action on a measure which was sponsored in the Senate by the distinguished senior Senator from Missouri [Mr. HENNINGS], by my colleague, the distinguished junior Senator from Kentucky, and by myself.

Mr. COOPER. It is true, is it not, that the bill had the approval of all segments of the tobacco industry, including growers and processors, throughout the entire country?

Mr. CLEMENTS. That is correct.

Mr. COOPER. I thank my colleague. The PRESIDING OFFICER (Mr. SCHOEPPel in the chair). The question is on agreeing to the motion of the senior Senator from Kentucky [Mr. CLEMENTS]. The motion was agreed to.

ALLEGED SECRET RECORDING DEVICES IN THE ATOMIC ENERGY COMMISSION

Mr. HICKENLOOPER. Mr. President, during the afternoon I have been occupied in committee with the consideration of proposed legislation. That is why I am appearing at this late hour to make a statement.

In the Washington Post and Times Herald of this morning there was published as a part of the column written by Drew Pearson an article entitled "Atomic Gestapo." I shall read the portion of the column relating to this subject:

ATOMIC GESTAPO

The final straw that has made members of the Atomic Energy Commission see red against Chairman Admiral Lewis Strauss is a recording device installed by Strauss at Commission meetings.

In the past, Commission meetings have been informal, relaxed, and featured all sorts of fascinating philosophical discussions of the future of atomic power. Today they are ice-cold, stiff, and edgy. Every Commissioner knows that every word he says is being recorded, and he talks as little as possible before the Wall Street banker who has become czar of atomic energy.

The Commissioners know that since the friends and words of Dr. J. Robert Oppenheimer 15 years ago were used against him today, together with his lack of enthusiasm for the hydrogen bomb, their words also may be used against them in the future. So there is less and less discussion, less and less honest agreement.

"Today," said one man, "we enthuse. We are all making a record. We can only hope that while we are making enthusiasm, they are making progress in making bombs out in the field."

NOTE.—Phone tapping of Commissioners' telephones by security officers on behalf of Admiral Strauss is now considered routine. None of the three Commissioners opposing Strauss says anything important over the telephone.

Mr. President, in my considered opinion, after making an extensive investigation, the statements made in the column under this heading, with the exception of the statement referring to the conversation of Dr. J. Robert Oppenheimer 15 years ago, of which I do not have accurate information, are utterly and absolutely false. I do not believe Mr. Pearson originated the information; I think he obtained what he thought was information from persons who told him that what they alleged were facts. I wish to state what the facts are, because not only in the past, but also today, I have made an investigation of the subject.

The facts are that when Admiral Strauss took office as Chairman of the

Atomic Energy Commission, he had a search made of the Chairman's office and of other places in the Commission. When he began his duties as Chairman, he found that the offices were wired for recording. Within a few days of that discovery, he had the recording equipment and system ripped out of the office. He announced that there would be no secret recordings so long as he was Chairman of the Commission.

I was in his office about 4 days after he assumed his duties. I saw the places where the secret recording devices had been installed, and I saw the evidence that they had been removed by the order and direction of Chairman Strauss.

I have made a further check, and I am completely convinced and satisfied that there is no secret tapping of the telephones in the Atomic Energy Commission.

Where Mr. Pearson obtained his information, I do not know; but whoever gave it to him was, I am convinced, lying to him. The unfortunate part of the situation is that Mr. Pearson accepted such false statements and credited them as being true by including them in his column, to the very great detriment of a man who is trying to do an honest, decent, open, and above-board job on the Commission.

Mr. BUTLER of Nebraska. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield.

Mr. BUTLER of Nebraska. If the information is not true, this is not the first time such untruths have been published, is it?

Mr. HICKENLOOPER. I do not wish to engage in a discussion of various other statements and claims; I simply wish to say that this is a flagrant and inexcusable injustice to a man who himself took the initiative to rip out secret recording devices which had been previously installed, and who not only announced that it would not be his purpose to use such instrumentalities, but who has taken the lead in being very careful to see that they do not creep back into the operations of the Commission.

I think it is ominous, Mr. President, when those who decry methods of insinuation and the blasting of characters and reputations on the part of others, themselves use such innuendo and unfounded rumor as the truth in their attempts to attack those whom they do not personally like and whom they would like personally to destroy.

This is a most flagrant abuse of the right of publicity in the newspapers, a right which should be held sacred. I cannot express the utter contempt I have for persons who would originate such falsehoods, and for a man who publishes them in a newspaper. I do not say that Mr. Pearson originated this story or made it out of whole cloth. It is entirely likely, and I think it is likely, that he was told this by certain individuals. But the originators, in my opinion, were lying to him; and the criticism I have of Mr. Pearson is that he took the report, failed to verify it, and published it as truth in his column, to the detriment of a very able public servant.

TENNESSEE VALLEY AUTHORITY

Mr. KEFAUVER. Mr. President, when hearings were held on the independent offices appropriation bill several weeks ago, the private utility lobby trotted out many witnesses to show that their companies could supply the Atomic Energy Commission's Paducah works as economically as could the Tennessee Valley Authority.

At that time the appropriations subcommittee gave the AEC until tomorrow, June 10, to reach some agreement with the private utility companies for the practicable supply of power for the Paducah plant.

I have been advised by the distinguished chairman of the subcommittee, the Senator from Massachusetts [Mr. SALTONSTALL], who is presently acting as majority leader, that the conference may be delayed until the first of next week. I am glad the distinguished Senator is here to hear my few remarks on this subject this afternoon.

The subcommittee felt that if an agreement were not reached between the Atomic Energy Commission and private companies, some provision must be made for TVA to increase its production capacity to meet the AEC's power needs.

I need not remind the Senate, I am sure, that the TVA appropriation recommended by the President and approved by this body did not include funds for any new power-producing facilities in the Tennessee Valley. That action was taken in the face of uncontradicted testimony that the valley is faced with a power shortage in 1957.

Some time ago, I asked the Atomic Energy Commission for a comparison of power costs to its Paducah plant from TVA and from Electric Energy, Inc., the private group. The TVA planned to build a plant on the Kentucky side of the river, and the private company to build one across the river on the Illinois side, both plants to furnish power for the atomic energy works at Paducah.

TVA has, as the Senate knows, built the Shawnee steamplant near Paducah to serve the AEC plant. EEI, after numerous fits and starts, is building a steam plant at Joppa, Ill., for the same purpose.

The figures Admiral Strauss sent me seemed at first glance to indicate that TVA's rates were substantially higher than those of EEI. For the last 6 months of 1953, he listed the average TVA charge per kilowatt-hour at 5.85 mills, and the average EEI charge at 4.97 mills.

Inasmuch as these figures seemed to fly in the face of reason, I was obliged to ask the admiral for clarification. It was forthcoming about a month later.

To begin with, only three of TVA's Shawnee units were in operation during the period in question. Since those units did not fill all the AEC requirements, TVA purchased additional power from other sources to fill in the gap. This additional power was something more than twice the cost of TVA's own production.

During the same 6-month period, only two EEI units were in operation, and it purchased power from its parent com-

panies to complete its contract obligation to AEC.

Admiral Strauss' second letter brought out that the EEI charges listed earlier do not include amortization of the investment—and will not include such an item until the plant's completion.

Meanwhile, TVA has been collecting in its rates for power from the Shawnee plant allowances for amortization which are being returned to the Treasury as part of TVA's current payments, or re-invested in TVA facilities.

When the fourth Joppa unit is in operation in August, more than a year behind schedule, incidentally, its power cost is expected to be about 4.09 mills per kilowatt-hour, according to the Admiral's letter.

He notes that the present rate for power from TVA's Shawnee plant is 3.64 mills. This, I might add, is expected to be lower by August because of decreasing coal costs.

Therefore, the difference between the cost of Shawnee power and Joppa power in August will be at least 0.45 mill per kilowatt-hour (4.09 mills as compared with 3.64 mills) and probably larger because the TVA expects to get its coal cheaper in August.

I want to make it quite clear that this comparison is between Shawnee and the 4-unit Joppa plant. For the 6-unit Joppa plant, the cost of 4.09 mills per kilowatt-hour is expected to increase to 4.20 mills per kilowatt-hour, according to Admiral Strauss, and that is set forth in his letter.

In contrast, there will be little change in the cost of Shawnee power as between the first 4 units and the later expanded plant, Shawnee being the TVA plant.

The final differences in cost between Joppa power and Shawnee power are likely to be well over half a mill per kilowatt-hour.

Present contracts call for TVA to supply 1,205,000 kilowatts and EEI 735,000 kilowatts to the AEC's Paducah works. The corresponding annual kilowatt-hours would be a little more than 10 billion kilowatt-hours from TVA, and a little more than 6 million kilowatt-hours from EEI.

An excess cost of half a mill per kilowatt on the more than 6 billion kilowatt-hours from EEI will amount to more than \$3 million a year.

Stated a little differently, a half-mill saving on the 10 billion kilowatt-hours from TVA will amount to more than \$5 million a year.

I believe the Congress and the American taxpayers are going to be mighty interested in these figures particularly when they realize this means \$3 million or \$5 million a year for as much as 25 years.

I think, Mr. President, that the tremendous amount of electrical power which the atomic energy plants at Oak Ridge, Paducah, and Portsmouth, Ohio, are now using or will be using, is not appreciated; nor is the fact appreciated that an increase in the power rate of only 1 mill will cost the taxpayers \$50 million a year. The Tennessee Valley Authority ought to be highly commended because, by its contract with the

atomic energy plant at Oak Ridge, it has set a pattern for furnishing power at an extremely low price. If that yardstick had not been set, if the TVA had not pioneered the low price at which power could be furnished to the Atomic Energy Commission, the taxpayers of the Nation would have had to spend hundreds of millions of dollars more for the electricity which they must buy each year, and will have to buy in increasing amounts as time goes on.

I sincerely hope the very fair and distinguished Senator from Massachusetts, who has given so much time and thought to this question, will take the matter into consideration, and also consider the fact that the United States Government can save the taxpayers a great deal of money by allowing TVA to furnish power for the Atomic Energy Commission, and in the meantime allowing the TVA to have facilities to meet its own electrical needs. If the Senator from Massachusetts will do that, he will be applauded very loudly, not only by those in the Tennessee Valley, but by persons all over the Nation.

TRANSFER OF CERTAIN REAL PROPERTY IN NAPA COUNTY, CALIF.

Mr. SALTONSTALL. Mr. President, I move that the Senate proceed to the consideration of House bill 3097.

The motion was agreed to; and the Senate proceeded to consider the bill (H. R. 3097) to authorize the transfer to the regents of the University of California, for agricultural purposes, of certain real property in Napa County, Calif.

LEGISLATIVE PROGRAM

Mr. SALTONSTALL. Mr. President—

The PRESIDING OFFICER (Mr. SCHOEPPPEL in the chair). The Senator from Massachusetts.

Mr. SALTONSTALL. After a message from the majority leader, and after consultation with the minority leader, it has been agreed that when the Senate adjourns this afternoon—and it will be an adjournment rather than a recess—it will be until Friday next at 12 o'clock. At that time the business before the Senate will be House bill 3097, which has just been made the unfinished business. However, it is hoped that the appropriation bill for the State, Justice, and Commerce Departments, which bill was reported this afternoon, will also be considered. The minority leader has informed me that it is hoped that on his side there will be no objection to considering the bill on Friday when the Senate meets. If that be correct, it is expected that the unfinished business will be laid aside and the Senate proceed to the consideration of the appropriation bill.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield.

Mr. JOHNSON of Texas. The minority leader is hopeful that there will not be any objection from either side. That is the first statement I wished to make. The next statement I should like to

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

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For actions of June 15, 1954
83rd-2nd, No. 110

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HIGHLIGHTS: House debated surplus commodities bill. House Rules Committee cleared bills to continue rural housing program, provide for motor vehicle pools, and revise Virgin Islands organic act. House committee reported bill to transfer CCC seeds to Forest Service, etc. House received conference report on independent offices appropriation bill. Senate passed bills to: Transfer USDA grape research station to U. of Calif, authorize 3/8 bu. basket, transfer land tract for extension work in Tex. Senate committee ordered reported bill to extend trade agreements program. Sen. Aiken inserted and discussed new USDA regulations on ASC committees. Sen. Martin introduced and discussed bill to establish national water resources policy. Sen. Wiley introduced self-help dairy bill. Sen. Welker introduced and discussed bill to require potato labeling and inspection.

HOUSE

1. SURPLUS COMMODITIES. Began debate on S. 2475, the proposed "Agricultural Trade Development and Assistance Act of 1954" (pp. 7826-59). (For provisions of this bill see Digest 107.) Agreed to an amendment by Rep. Kelly, N. Y., to clarify the term "friendly nation" (pp. 7853-4). Agreed, 59-26, to an amendment by Rep. Dies to require the President to secure (as well as seek) commitments to prevent undesirable resale or transshipment (pp. 7854-5). Rejected, 37-74, an amendment by Rep. Dies to prohibit sale of agricultural commodities to any nation which exports or sells agricultural commodities to any Communist nation (pp. 7854-7). Agreed to various perfecting amendments by Reps. Judd and Burleson (pp. 7857-9).
2. HOUSING. The Rules Committee reported a resolution to send to conference H. R. 7839, the housing bill which includes a provision extending the farm housing program administered by this Department (p. 7810).
3. VEHICLES; FURNITURE. The Rules Committee reported a resolution for consideration of H. R. 8753, to authorize GSA to establish and operate Government motor pools and systems and to provide office furniture and furnishings when agencies are moved to new locations, to direct GSA to report the unauthorized use of Government motor vehicles, and to authorize the Civil Service Commission to regulate

operators of Government vehicles (p. 7810).

4. VIRGIN ISLANDS. The Rules Committee reported a resolution for consideration of H. R. 5181, to revise the Virgin Islands organic act including a provision regarding importation of diseased animals (p. 7810).
5. CCC SEEDS; FORESTRY. The Banking and Currency Committee reported with amendment S. 2987, to provide for transfer of surplus CCC seeds to the Forest Service and the Bureau of Land Management (H. Rept. 1871)(p. 7863).
6. D. C. APPROPRIATION BILL, 1955. Passed with amendments this bill, H. R. 9517 (pp. 7809-10).
7. RECLAMATION. The Interior and Insular Affairs Committee reported with amendment H. R. 8520, to provide for construction of the Ainsworth, Lavaca Flats, Mirage Flats Extension, and O'Neill irrigation developments as units of the Missouri River Basin project (H. Rept. 1868)(p. 7863).
This Committee also reported without amendment H. R. 8027, to extend the time during which Interior may enter into amendatory repayment contracts under the Federal reclamation laws (H. Rept. 1869)(p. 7863).
House conferees were appointed on H. R. 5731, to authorize facilities for joint use of the Navy and farmers on the Santa Margarita River, Calif. (p. 7810).
Senate conferees have not yet been appointed.
The Interior and Insular Affairs Committee voted to report (but did not actually report) H. R. 236, to authorize the Fryingpan-Arkansas project (p. D686).
8. SCS AUDIT. Received from the Acting Comptroller General a report on the audit of SCS for the fiscal years 1951 and 1952; to Government Operations Committee (p. 7863).
9. RESEARCH. Received from this Department a printed copy of the OES report for 1953 (p. 7863).
10. INDEPENDENT OFFICES APPROPRIATION BILL, 1955. Received the conference report on this bill, H. R. 8583 (pp. 7859-61). It is expected that this matter will be considered today (p. D685). The conferees recommended revised amounts for the Council of Economic Advisers, management improvement fund, Advisory Committee on Weather Control, GSA buildings management, National Science Foundation, and Tennessee Valley Authority.

SENATE

11. CONTAINERS. Passed without amendment H. R. 8357, to amend the Standard Container Act so as to provide for a 3/8 bushel basket for fruits and vegetables (pp. 7781-2). This bill will now be sent to the President.
12. LAND TRANSFERS. Passed without amendment H. R. 3097, to donate the USDA Grape Research Station at Oakville Calif., to the Univ. of Calif. (pp. 7790, 7793-6). This bill will now be sent to the President.
Passed without amendment H. J. Res. 300, to convey to the Texas Hill Country Development Foundation of certain surplus land situated in Kerr County, Texas for use of 4-H clubs, etc. (p. 7772). This bill will now be sent to the President.
Passed with amendment (correcting a typographical error) H. J. Res. 458, to direct the Secretary of Agriculture to quitclaim retained rights in a tract of former FHA land to the Board of Education of Irwin County, Ga. (pp. 7771-2).

Mr. BUTLER of Maryland. I know the Treasury Department is now considering general legislation to afford relief in such cases.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (S. 1795) for the relief of Fred and Bernice Ehlers was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, in the administration of section 322 of the Internal Revenue Code (relating to refunds and credits), the claim for refund of income tax for the taxable year ending December 31, 1948, mailed by Fred and Bernice Ehlers, of Hettinger, N. Dak., on March 15, 1952, and received in the office of the director of internal revenue, Fargo, N. Dak., on March 19, 1952, shall be held and considered to have been filed within the 3-year period referred to in section 322 (b) (1) of the Internal Revenue Code.

KARL VON SCHLIEDER

The bill (S. 1215) for the relief of Karl L. von Schlieder was announced as next in order.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

Mr. HENDRICKSON. Mr. President, reserving the right to object, I should like an explanation of the bill.

Mr. JOHNSON of Colorado. Mr. President, this bill involves a very distressing and unfortunate situation. A retired Army officer was employed as a librarian at Fitzsimons General Hospital, at a salary of \$3,600 a year. He was retired for physical disability and his physical disability pay amounted to \$194.52 a month.

Mr. HENDRICKSON. Mr. President, will the Senator from Colorado yield?

Mr. JOHNSON of Colorado. I yield.

Mr. HENDRICKSON. Does it involve the principle of dual compensation?

Mr. JOHNSON of Colorado. It involves the principle of dual compensation under section 212 of the act of June 30, 1932, as amended.

Mr. HENDRICKSON. Does the Senator feel that the payment is justified by the equities?

Mr. JOHNSON of Colorado. Yes. I shall read what the Air Force says about it:

The Department of the Air Force is of the opinion the 1st Lt. Karl L. von Schlieder is legally indebted to the United States in the amount of \$11,138.96. There is, however, no indication that Lieutenant von Schlieder did not honestly believe that he was entitled to the retired pay which he received during the period July 1, 1947, to January 1, 1953. Accordingly, there are equitable considerations and if the Congress feels that Lieutenant von Schlieder should be relieved of his indebtedness to the United States, the Department of the Air Force would interpose no objection to the enactment of section 1 of S. 1216.

The Air Force is not objecting to the bill. As a matter of fact, I do not know how this poor fellow could ever pay back that large amount of money. The bill, when it was originally introduced, provided that section 212 be not enforced in the future so far as this officer was

concerned. But the Air Force objected to that, and the committee also objected to it.

So section 2 of the bill is stricken out, and the only thing the bill does is to forgive this officer the amount of back pay which was paid to him in error. The Air Force had some responsibility for making the payments since the Finance Department of the Air Force was given the obligation of paying the retirement pay. They discovered they were making a dual payment contrary to law, so they corrected it. But this poor man receives barely enough salary as a librarian to live on, and there is no way in which he can pay back the indebtedness. So I hope the Senate will pass the bill. I believe justice would be served in that way. I agree with the Air Force that it would be the right thing to do, and I agree with the committee which considered the bill that it would be the right thing to do.

Mr. HENDRICKSON. Mr. President, in the light of the assurance given by the distinguished Senator from Colorado, I withhold any objection, but I should like the RECORD to show that the cost to the Government of this bill, if it shall become law, will be approximately \$11,138.96.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (S. 1216) for the relief of Karl L. von Schlieder, which had been reported from the Committee on the Judiciary with an amendment, on page 2, after line 4, to strike out:

SEC. 2. Notwithstanding the provisions of the said section 212 of the act of June 30, 1932 (47 Stat. 406), the amounts payable to the said Karl L. von Schlieder as a retired commissioned officer of the Air Force shall not hereafter be reduced by reason of his employment as librarian at Fitzsimons Army Hospital, Denver, Colo.

So as to make the bill read:

Be it enacted, etc., That Karl L. von Schlieder, a librarian at Fitzsimons Army Hospital, Denver, Colo., is hereby relieved of all indebtedness to the United States by reason of the failure, during the period from July 1, 1947, to January 1, 1953, on the part of the Veterans' Administration and the Air Force Finance Center, Denver, Colo., to reduce, pursuant to section 212 of the act of June 30, 1932, as amended (47 Stat. 406) (limiting the amount of retired pay of certain commissioned officers holding positions under the U. S. Government), the amounts payable to the said Karl L. von Schlieder as a retired commissioned officer of the Air Force while he was employed as a librarian at such hospital.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ISSUANCE OF PATENT IN FEE TO JACK ALEXANDER

Mr. SPARKMAN. Mr. President, I ask unanimous consent that the Senate return to Calendar No. 1330, House bill 1128, authorizing the Secretary of the Interior to issue to Jack Alexander a patent in fee to certain lands in the

State of Alabama, and that the bill may be immediately considered.

The PRESIDING OFFICER. The clerk will state the bill by title.

The CHIEF CLERK. A bill (H. R. 1128) authorizing the Secretary of the Interior to issue to Jack Alexander a patent in fee to certain lands in the State of Alabama.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. HENDRICKSON. Mr. President, reserving the right to object—and I shall not object—I feel in this instance a moral obligation to the distinguished Senator from Alabama to allow the bill to be considered at this time, but I should like to serve notice for the RECORD that this will be the only bill which will be considered back of the original calendar call today.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

Mr. MORSE. I do not object to its immediate consideration; I only desire an explanation of the bill.

The PRESIDING OFFICER. An explanation of the bill is requested.

Mr. SPARKMAN. The bill seeks a patent from the United States to cover approximately 160 acres of land in Lawrence County, Ala. The entries shown on the books in the local courthouse—and such entries are shown in all our county courthouses—are copied from the original Land Office books, and disclose that entry was made on this land in 1819. Mr. Jack Alexander and those who held the land prior to him have held it since that time. Mr. Alexander himself owned some of the land before 1900, and the rest of it was acquired about 1900. Taxes have been paid on the land continuously, year by year, until the present time.

It was not until recently that any question was raised about the ownership of the land.

In 1953 the Department of the Interior suggested that the bill not be passed at that time, and pointed to the fact that another bill was pending which, if passed then, would give Mr. Alexander entitlement to the land. That bill was enacted. So it would appear that the Department of the Interior would not now have any objection to the pending bill, since the bill to which I have referred has been enacted.

The PRESIDING OFFICER. The question is on the third reading and passage of the bill.

The bill was ordered to a third reading, read the third time, and passed.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its clerks, announced that the House had passed, without amendment, the following bills of the Senate:

S. 171. An act for the relief of Mrs. Irma Benjamin;

S. 234. An act for the relief of Thomas Szabo;

S. 235. An act for the relief of Rev. Armando Fuoco;

S. 347. An act for the relief of George Taipale;

S. 366. An act for the relief of Sister Con-
cepta (Ida Riegel);

S. 428. An act for the relief of Dr. Chih
Chiang Teng;

S. 445. An act for the relief of Felicitos
Valerina Margaret Hauke;

S. 507. An act for the relief of Mrs. Eleanor
Emilie Neil;

S. 518. An act for the relief of Sister Marie
Therese De Galzain;

S. 584. An act for the relief of Rosa Euler
and her minor child;

S. 614. An act for the relief of Eero and
Tina and Karina Waskinen;

S. 629. An act for the relief of Igor Michael
Bogolepov (alias Ivar Nyman) and Margaret
Johanna Bogolepov (alias Margaret Johanna
Nyman);

S. 653. An act for the relief of Meteorima
Shizuko;

S. 662. An act for the relief of Julie Nicola
Frangou;

S. 740. An act for the relief of Santa
Muciaccla (Sister Maria Fridiana), Teresa
Saragaglia (Sister Maria Eutropia), and
Caterina Isonni (Sister Maria Giovita);

S. 757. An act for the relief of Frank
Bastinelle;

S. 769. An act for the relief of Mrs. Robert
M. Roskos (formerly Maria E. Laedel);

S. 809. An act for the relief of Vittoria
Sperti;

S. 860. An act for the relief of Juanita
Andrada Lach and Leticia Androda Lach;

S. 924. An act for the relief of Sofia B.
Panagouloupoulos Kaneil;

S. 929. An act for the relief of Cleopatra
Stavros Milionis;

S. 930. An act for the relief of Martin An-
thony Beekman;

S. 1073. An act for the relief of Mary
Shizue Hirano;

S. 1112. An act for the relief of Letizia
Maria Genoveffa Lo Bianco;

S. 1128. An act for the relief of Fermo
Breda;

S. 1135. An act for the relief of Stamatios
James Bratsanos;

S. 1155. An act for the relief of Giuseppe
Bentivegna;

S. 1156. An act for the relief of Dr. Jagan-
nath P. Chawla;

S. 1290. An act for the relief of Ruth
Sonlin;

S. 1296. An act for the relief of Elfriede
Hall;

S. 1301. An act authorizing the Secretary
of the Interior to issue a patent in fee to
Lucy Yarlott Othermedicine;

S. 1395. An act for the relief of Manasseh
Moses Manoukian, Elize Manoukian, nee
Kardzair, and Socrat Manoukian, also known
as Socrates Manoukian;

S. 1430. An act for the relief of Ruth Jo-
hanna Heldenreich;

S. 1478. An act for the relief of Chung
Keun Lee (Thung Kuen Lee);

S. 1594. An act for the relief of Berenice
Catherine Montgomery;

S. 1661. An act for the relief of Erna
Prange Blanks;

S. 1682. An act for the relief of Branimir
V. Popovitch and Mila B. Popovitch;

S. 1696. An act for the relief of Dr. Mourad
Arnoux;

S. 1734. An act for the relief of Rosa
Stephan;

S. 1808. An act for the relief of Hildegard
Monti;

S. 1955. An act for the relief of Giorgio
Salvini Thompson;

S. 2423. An act for the relief of Selko
Magal and her minor child;

S. 2360. An act for the relief of Jacob Van-
denbergh;

S. 2438. An act for the relief of Maria
Teresa Rossi;

S. 2450. An act for the relief of Lt. Hayden
R. Ford; and

S. 2596. An act for the relief of Lucy
Mao Mei-Yee Li.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 5731) to authorize the Secretary of the Interior to construct, operate, and maintain certain facilities to provide water for irrigation and domestic use from the Santa Margarita River, Calif., and the joint utilization of a dam and reservoir and other waterwork facilities by the Department of the Interior and the Department of the Navy, and for other purposes; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. MILLER of Nebraska, Mr. D'EWART, Mr. SAYLOR, Mr. ENGLE, and Mr. ASPINALL were appointed managers on the part of the House at the conference.

TRANSFER OF CERTAIN REAL PROP- ERTY IN NAPA COUNTY, CALIF.

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (H. R. 3097) to authorize the transfer to the regents of the University of California, for agricultural purposes, of certain real property in Napa County, Calif.

Mr. HENDRICKSON. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BUSH in the chair). Without objection, it is so ordered.

WINDFALL PROFITS UNDER FHA INSURED MORTGAGES

Mr. WILLIAMS. Mr. President, last Saturday Mr. Albert M. Cole, Administrator of the Housing and Home Finance Agency, issued a report in which he called attention to certain individuals or companies who under title 608 had reaped windfall profits. In the report Mr. Cole listed the figure of \$272,646,300 as the total of mortgages issued on projects which cost \$234,486,277, resulting in windfall profits—that is, profits on the structions which were mortgaged over and above the actual cost.

Also in the report Mr. Cole pointed out that the total amount of capital invested by the various builders was only \$4,138,590.

Mr. President, I ask unanimous consent to have printed in the body of the RECORD at this point as a part of my remarks the statement issued by Mr. Cole and a list of the mortgages.

There being no objection, the press release and list of mortgages were ordered to be printed in the RECORD, as follows:

Housing Administrator Albert M. Cole today announced receipt of an interim report on the investigation of section 608 FHA-

insured mortgages on rental housing developments from William F. McKenna, Deputy HHFA Administrator in charge of the investigation into FHA.

The report contained names and amounts of over 200 corporations involving 70 section 608 developments in which FHA-insured mortgages loans exceeded costs, resulting in windfalls to the sponsors of approximately \$40 million. In all cases FHA issued the insurance commitments in 1952 or earlier.

The report was developed by Mr. McKenna's staff of auditors and investigators who reviewed over 200 corporations covering the 70 developments. The report covers only those 608 cases reviewed through June 4, 1954.

Mr. McKenna reported that all of the cases have been or are being referred to the Department of Justice for such civil or criminal proceedings as may be indicated by the circumstances of each case.

On the more than 200 corporations covering the 70 projects reviewed to date, this is the picture as reported:

Paid in capital stock-----	\$4,141,390
FHA-insured mortgage loans---	277,593,500
Reported cost of the projects--	239,374,770
Total windfall-----	39,539,833
Amount of windfall distributed to stockholders-----	31,755,000

(In the above summary, the amount of the windfall is affected by other factors than the excess of mortgage loans over project costs.)

Mr. McKenna reported that in many, if not most of these cases, other very substantial windfalls were realized which are not reflected in these figures.

In the 219 cases reviewed to date, the windfall distribution amounted to 80.31 percent of the total windfall. The remaining 19.69 percent was kept in the corporations.

Mr. McKenna reported that the HHFA investigation of section 608 projects has disclosed various methods whereby windfalls or other monetary gains were obtained by owners over and above normal authorized earnings from actual project investments.

The principal devices used to create such windfalls, he reported, were padding of cost figures by using excessive prices for the cost of construction and for the purchase of land.

Various devices were also used for the distribution of the windfalls, according to the report, including not only the declaration of dividends out of mortgage proceeds, but also redemption of stock at inflated prices, exorbitant management fees, excessive payments for services to corporations owned by the sponsors, and loans by the corporations to their principals which will be paid when and if the principals who dominate the corporation decide.

Mr. McKenna reported that the windfall figure of \$39,539,833 for these 70 projects is much less than the total amount of the actual windfall from these projects. His report explained that the minimum figure does not include three sources of windfall which were sizeable but for which exact figures are not available at this time.

For example, the minimum figure does not include \$7,534,702 which sponsors of these projects collected in rent from tenants before they made their first payment on their FHA-insured loans. Since taxes, insurance, and interest for the period of construction were included in the amount of the loan, all that had to be charged against the rental payments received prior to the first payment on principal was the cost of operation—which means that most of the rental payment was clear profit, Mr. McKenna reported.

The report cited another source of windfall, not included in the minimum figure, which resulted from the making of leases for the long-term use of land between the

Avenue, Baltimore, Md., for \$2,040,000; terms \$100,000 cash, mortgage \$1,940,000.

GREGORY ESTATES, SECTIONS 1, 2, 3, AND 4, SEAT PLEASANT, MD.

In this instance, the mortgage loan was \$3,184,000, and the reported cost of the project \$3,176,500. The principals paid in \$800 as capital stock. The wind-fall profits in this case were relatively small as compared to the others, totaling \$7,500. However, it is mentioned in view of the fact that on March 17, 1954, all four of these projects were listed as being in the process of foreclosure.

TRANSFER OF CERTAIN REAL PROPERTY IN NAPA COUNTY, CALIF.

The Senate resumed the consideration of the bill (H. R. 3097) to authorize the transfer to the regents of the University of California, for agricultural purposes, of certain real property in Napa County, Calif.

The PRESIDING OFFICER. The bill is open to amendment.

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. AIKEN. Mr. President, House bill 3097 provides for transferring to the regents of the University of California, for agricultural purposes, certain property in Napa County, Calif. In brief, the bill would transfer a 20-acre tract of land which was acquired by the Federal Government in 1921 for \$15,000.

The Federal Government intended to use the land as an experiment station for the development of grapes. Improvements costing \$11,210 were made between 1924 and 1927. The latest of the improvements is therefore 27 years old.

The tract was never utilized to any great extent as a field station for the Federal Government, for the reason that another station was being used. Now it is proposed that this tract of land be transferred to the University of California with the understanding that it will be used as an experiment station for the development of wine grapes.

The total value of the property, including the improvements up to 1927, is \$26,210.

The bill provides that should the University of California undertake at any time to use any part of the land for any other purpose than that indicated, the title shall revert to the Federal Government.

The Department of Agriculture reported favorably on the bill, feeling that, inasmuch as the results obtained by the University of California at this station would be available to all the people of the country, particularly to those engaged in this agricultural pursuit, a worthwhile service would be rendered if the land were transferred for operation by the University of California.

In brief, that is what the bill provides.

I wish it understood that if the university ceases to use the land or undertakes to divert any part of it to any other use or to let it be used for any other purpose, the property will then revert to the Federal Government.

Mr. MORSE. Mr. President, I am opposed to the passage of the bill, for reasons which should be obvious to all Members of the Senate. This is a proposal to give to the University of California \$26,000 belonging to all the taxpayers of the United States, because this 20-acre piece of land is owned by them. I do not know of the slightest justification in the record on this bill for this give-away proposal.

If this piece of property is to be given away, then I say that, in all fairness to every other State university, a quick survey should be made of the pieces of Federal property which are used for agricultural experimental purposes, and it should be ascertained whether any State university wishes to take any of those parcels of land. If so, we should give such parcels of land to the State universities, in order to permit them to proceed to conduct agricultural experiments on them, with the understanding that if they stop using them for that purpose, they will then revert to the United States Government.

Mr. President, in my judgment, gifts of this kind should not be made on a segment basis. There can be no justification for showing this kind of favoritism to the University of California and to the wine interests of California. In fact, I should think the wine interests of California would pass a tin cup and would raise approximately \$13,000 for half the appraised fair market value of the property, and then would give it to the University of California. In that way the University of California would obtain the property in a way consistent with and in keeping with the policy the Senate has been following since 1946, in an overwhelming majority of cases.

In a few instances the Morse formula has been subverted in the Senate by way of the parliamentary procedure we are following today, namely, by taking up a bill on motion, in the expectation that a majority of the Senators then would override the Morse formula, for a variety of reasons upon which I shall not dwell.

Mr. President, I feel very deeply and very sad about it, because this bill involves a very precious principle the Senate should affirm. Instead of doing that, by making exceptions here and exceptions there, the principle is finally destroyed if we continue to follow the policy encompassed in this bill today.

Let us take a look at this piece of property. As was pointed out, it was purchased by the Federal Government in 1921, as I recall. The purchase price was \$15,000. The State of California had nothing to do with the property; the University of California did not own it. It was not even purchased from the University of California. This is not a case of a State donating to the Federal Government a piece of property, to be used by the Federal Government for a specific purpose, and thereafter, the Federal Government not having used it for that

purpose, the property reverting to the State. In this case, the property was purchased in fee simple by the Federal Government, through the Department of Agriculture, and the property thereby became the property of all the people of the United States. Improvements were placed on the property, to the tune, in round numbers of a sum somewhat in excess of \$11,000. So the taxpayers of the Nation have \$26,000 invested in this piece of property.

Mr. President, this is not a flourishing experimental station. This is an experimental station that has practically been in disuse for 18 years. I am reliably informed that whatever grape roots are left in this 20 acres are of little value for any experiments in grapes.

If the University of California proceeds with agricultural experiments on this land, it will have to do so with new vines, for on this 20 acres of land there is not a vineyard of sufficient value, from an agricultural standpoint, to make it possible to continue any experiments in viniculture. Until approximately 1933, there was an overseer or Federal official of the Department of Agriculture on this 20 acres of land, but since 1933 it has been constantly deteriorating. Today it is not a going Federal experimental station. It is not a station from which it can be said the United States Department of Agriculture is obtaining any worthwhile results. This is not a case in which a going experiment station is to be transferred to the University of California, under certain terms and conditions under which the Federal Government will retain at least some control and some interest in the experiments to be conducted, but they are to be financed mainly by the University of California. This is a gift of valuable land to the University of California for experimental purposes.

This case involves 20 acres of valuable land that belong to all the people of the United States. It is proposed to give the land to the University of California.

If Senators think this land is not valuable, let it be put on the auction block tomorrow, and then we can see what will be paid for it. I do not know much about real estate values, and I am not an expert on real estate values in Napa, Calif., but, on the basis of information I have received since I knew the bill was coming up, I am satisfied that if this piece of property were to be placed on the auction block tomorrow, it would bring, at public auction, more than \$26,000. Yet it is proposed to give this land to the University of California, with the understanding that the university will take the property, plant new vineyards, rehabilitate the whole project, insofar as the experiment station is concerned, and continue to conduct viniculture research for the benefit of the liquor interests.

I wish to say that in my judgment the liquor interests should donate to the University of California approximately \$13,000, in order to have carried on the experiments they want conducted on this 20 acres of land, if the University of California is to get it. I am opposed to the Federal Government subsidizing the liquor interests via the University of California.

Under the Morse formula, the University of California, by the payment of 50 percent of the appraised fair market value of the land, could obtain this property. But it is unfair, inequitable, and highly discriminatory to show this kind of favoritism to the University of California, unless the Senate is willing to say that it will pass all measures proposing to give property owned by any United States Department of Agriculture Experiment Station to any State university that wants it.

Of course, we know that if such blanket legislation as that were proposed, it would not be passed. However, we proceed by way of the nibbling process. We bite off a piece of property belonging to all the people of the United States, and then we spit it out—to the benefit, in this instance, of the University of California.

I do not like that kind of chewing away on the domain that belongs to all the people of the United States. The precedential feature of this proposal is very bad.

This is not the first time this matter has been before the Senate. It was before the Senate in June 1952. At that time an attempt was made, when I was absent from the Senate on official business, to leave the false impression that I did not object to this kind of a transfer if it involved the State of Oregon. When I returned to Washington I answered those insinuations and innuendoes on June 20, 1952. I pointed out by citing case after case that there is not a scintilla of evidence in the record of the Senate to justify any implication that the Senator from Oregon applies one rule to California and another rule to Oregon. I repeat today what I said then, Mr. President. Again I stand here consistently supporting the Morse formula and pointing out that, according to calculations on the basis of the bills to which since 1946 we have required the Morse formula to be added, we have saved the taxpayers of the United States more than \$400 million. We do not know how many hundreds of millions of dollars more were saved by reason of bills which were not introduced, but which would have been introduced if we had not started in 1946 to try to stop this kind of political grabbag. I am proud of that record, and I do not intend to sit here today and vote to give away this \$26,000 belonging to all the taxpayers of the country.

Representative CONDON of this California district has been in communication with me, both by letter and by personal conference, in an effort to get me to yield in my objection to giving away this piece of property. In a letter to him under date of March 18, 1954, I set forth my objections. I shall read the letter, which will close my argument, because nothing more need be said.

We must make up our minds whether or not we are to give away a piece of property to a State university when, in my judgment, the State university ought to pay at least 50 percent of the appraised fair market value. One of the richest State universities in the Nation is the University of California.

I have been in the field of education. No one can tell me that the University cannot pay, in round numbers, \$13,000, which means 50 percent of the appraised fair market value of this property.

I know the president of the University of California. I cannot believe that the president of the University of California, if he had taken the time to study the principle which is involved, would want this bill passed this afternoon. I believe the president of the University of California is such a believer in sound government administration that he would say, "I cannot raise an objection to the point that, after all, we ought to pay at least 50 percent of the appraised fair market value of this property."

I made that statement to Representative CONDON when he came to my office and asked for a personal conference on the bill. He wanted to have my objections in black and white, and for that reason I wrote to him under date of March 18, 1954, as follows:

MARCH 18, 1954.

HON. ROBERT L. CONDON,

House of Representatives,

Washington, D. C.

DEAR BOB: I want to take this opportunity to thank you for your kindness in discussing with me the bill H. R. 3097 relating to the proposal to transfer to the regents of the University of California the Federal property known as the United States Grape Field Station, Napa County, Calif.

Your comments on this matter were very helpful to me and I particularly appreciated your bringing along photographs of the property in question. These, together with your explanatory remarks, assisted me a great deal in analyzing the situation.

After our talk of last Friday, I reviewed the report on H. R. 3097, and my remarks in the CONGRESSIONAL RECORD of June 20, 1952, when a prior and almost identical bill was under discussion in the Senate.

As H. R. 3097 now stands, I feel it is objectionable because it fails to include the so-called Morse formula provision under which the conveyance would be made upon payment of one-half of the appraised fair market value of the property and improvements thereon.

The Morse formula is not incorporated in a specific provision of Federal law, but is a rule that I have applied in the Senate for many years in order to protect the interest of the United States in cases wherein private bills propose the gratuitous transfer of Federally owned surplus property.

The Morse formula came into being about 1946 as a result of a study made by a subcommittee of the Armed Services Committee consisting of Senator BYRD, Senator SALTONSTALL, and myself. The subcommittee was given the job of analyzing problems relative to the disposal of surplus military property. The members of the subcommittee soon became concerned about the number of private bills which were introduced in both the Senate and the House in order to bring about free transfers of large quantities of valuable military property. We discovered that millions of dollars worth of Government property was being given away on a type of grabbag plan, and it was our conclusion that the Government was entitled to fair and reasonable compensation for these property transfers. We also agreed that such compensation should be based on a formula to be applied uniformly in all cases.

We did not claim that our formula was scientific and precise, but we were satisfied that it was reasonable and based on commonsense. So far as compensation for military property was concerned, the for-

mula required States and their governmental subdivision to pay the United States the appraised fair market value—100 cents on the dollar—for property designed for non-public use, and one-half of that amount for property acquired for public use. The formula was soon extended to all other surplus property of the Federal Government covered by any private disposal bill. As a result the taxpayers of the United States have saved many millions of dollars.

Although I am not familiar with all the background facts of the Grape Field Station bill, it seems to me that the regents might be willing to pay one-half the appraised fair market value of the property in question. This is based upon the assumption that they want the tract for public purposes—an assumption which seems reasonable under the facts indicated in the record. Under those circumstances, I would have no objection to an otherwise proper bill designed to accomplish that purpose; in fact, I would cooperate in urging its passage in the Senate.

Experience in past cases involving similar proposed transfers indicates that if such a bill comes to the Senate from the House without the Morse formula provision, it is apt to wind up as legislation containing no provision for payment of any amount to the Federal Government. This has been true in numerous cases where the formula has been included by amendment in the Senate. The explanation lies in the fact that the amended House bill is too often revised in conference so as to exclude the payment provision. Because of this situation I have taken the position that I shall oppose all future property transfer bills of this general type coming from the House to the floor of the Senate without the relevant Morse formula provision.

Under the circumstances, those interested in Grape Field Station transfer might be inclined to introduce a bill in the Senate or House calling for payment to the United States of 50 percent of the appraised fair market value of the property. If such a bill were to come to the floor of the Senate for action, I would be glad to cooperate in every way possible.

If you have any further questions concerning this case, I will do my best to be helpful.

With kindest personal regards,
Sincerely,

Mr. President, that states my position. I have stated it in times past almost ad infinitum, it seems to me, in the Senate. I have stated it because I think I am right. I have stated it because many of my colleagues have told me privately that they, too, believe I am right. They hope that without exception I will consistently adhere firmly to my position. That I intend to do, and where an attempt is made to circumvent the Morse formula—which is exactly what is being done in the Senate this afternoon—I hope a majority of my colleagues will recognize that they ought to support the Morse formula and apply it to all such bills as the one now before the Senate. If they do not, I think they will open the barn door and the horses will be in every other man's field.

The PRESIDING OFFICER. The bill is open to amendment.

Mr. KNOWLAND. Mr. President, I wish to speak briefly on the bill. First of all, the Senator from Oregon tries to make a great point that because, from time to time, the leadership has moved to take up bills relating to various sections of the Union, some great violation of the Morse formula was involved.

The opposite side of the coin is that unless motions were made to take up bills which have been considered by the proper committees of the Senate, the result, in effect, would be to give a single Senator veto power over such legislation. Upon the call of the calendar a single Senator, by objecting, could set himself above the committees which had reported the bills to the Senate, and 95 other Members of the Senate. I believe that is more power than any individual Senator either should want or should have, if we are to have proper legislative procedure in the Senate.

The bill came before the Committee on Agriculture and Forestry and was reported to the Senate. It does not transfer the title in such a way that the University of California can in turn pass to someone else. The university cannot sell the property. It cannot dispose of it. It cannot use it for other purposes. However, inasmuch as the Federal Government did not, from a budget standpoint, believe that it could or should carry on this very important work, which is of benefit to agriculture in general, it recommended that a bill be passed which would permit the University of California to carry on work which otherwise the Department of Agriculture would have to carry on, and for which an appropriation would have to be voted, with the understanding that the knowledge to be gained will be made available to other sections of the country, and that should the University of California at any time decide it cannot carry on the work, the property shall revert to the Federal Government.

It seems to me under that statement of facts—and those are the facts—the Senate is amply justified in passing the bill, which has already passed the House of Representatives.

The bill was introduced in the House, I understand, by Representative SCUDDER. It received a hearing before the House committee, it passed the House, was sent to the Senate, was considered by the Senate Committee on Agriculture and Forestry, and that committee has favorably reported it to the Senate.

I believe it to be a good piece of legislation. I do not believe that it is a give-away piece of legislation. If precisely the same facts were presented with respect to any other agricultural experiment station, the transfer of which was proposed, I would support such legislation, because I believe it is entirely sound and in keeping with good national policy.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. MORSE. Mr. President, replying to the majority leader, I wish to make two points.

First, the majority leader knows very well that whenever a Congress finally adjourns there are left on the calendar unacted upon several hundred bills which die on the calendar.

The long legislative history of the Senate demonstrates that a great body of bills are dependent for passage upon Members of the Senate being convinced by unanimous consent that they should be passed, and if the Members of the

Senate cannot be so convinced, the bills die on the calendar.

We have before us a bill which clearly falls under the unanimous-consent procedure of the Senate, since it is one of the so-called minor bills. It is one of the bills to which we have been applying a certain policy known as the Morse formula. Now it is proposed not to let the bill die on the calendar, as it died in 1952, but to accord it major consideration by taking it up by motion, and excepting it from the Morse formula.

I wish to say to my colleagues in the Senate that it is not fair to them if they let 1 or 2 or 3 or a group of Senators by way of a motion circumvent a policy with which they generally agree. Such Senators put those of us who are fighting to save the value of property for all the taxpayers of the United States in the position of discriminating against other Senators. We do not like to be put in that position.

The second point I wish to make is that this bill proposes to transfer a very valuable property. It does not have to be a fee simple transfer, Mr. President. Of course a reservation is attached. Of course a condition is added. The bill provides that if the property is not used for the particular purpose mentioned in the bill it shall revert to the Federal Government. Does that make this property without value?

There are many State universities and public agencies throughout the country that would like to get this kind of gift. It is a gift. It is a gift of \$26,000 of taxpayers' money. Indeed, it is more than that, because, in my judgment, we can get more than that for this property through a public auction.

Mr. President, let me say further in reply to the Senator from California that this proposed action may be just the first step toward a total transfer in fee simple. Apparently an interesting pattern is developing in the Senate. It has come up only within a matter of an hour and a half. About an hour and a half ago we had an interesting colloquy on the floor of the Senate with regard to the transfer of the reversionary interest in eight and a fraction acres of land in Georgia.

What happened in that case? Years ago, long before the Morse formula was evolved in the Senate, the Federal Government gave to the State of Georgia a piece of land consisting of eight and a fraction acres. It was given to the State for school purposes, but there was attached to it a reversionary clause. Today we had on the calendar a bill which proposed to give the reversionary interest to the State of Georgia.

I took the floor of the Senate, and the RECORD tomorrow will show that I said in effect that I would not object because in my judgment the mistake was made when the property was transferred years ago. It was transferred clearly with the intent that the University of Georgia should get the land for educational purposes. The University of Georgia has used it for educational purposes.

The Senator from Georgia [Mr. GEORGE] assured the Senate that it would

be continued to be used for educational purposes. He said the only reason the State wanted the reversionary clause removed was because under Georgia State law the State could not invest any State money in the property for the development of educational facilities unless the State of Georgia owned it in fee simple.

I said that under the circumstances, in view of the fact that the bill was passed in the first instance long before 1946, I would not object. However, I said I wanted the RECORD to show why I was not objecting. If I had been a Member of the Senate at the time the original bill was passed I would have objected to the transfer in the first instance.

It is perfectly clear that the property was given to the State of Georgia by Congress with the intention that it should be used for school purposes. I said that the word of the Senator from Georgia was as good as a bond in this matter. When he gave the Senate the assurance that the State of Georgia wanted the reversionary clause removed only because it desired to spend State money on the property for school facilities, I took him at his word.

Mr. President, there are two or three other bills still pending on the calendar involving property which was given in the first instance for one purpose, with a reversionary clause attached, and now the local body wants the reversionary clause removed.

Who among us can say that in years to come—I do not know how many years or how near in the future it may be—that a proposal will not be made by way of another bill to remove the reversionary clause in the pending bill?

When the Senator from California states that after all this is not an all-out grant in fee simple, I say to him that the answer is two-pronged. First, it is a transfer of a very valuable property interest belonging to all the people of the country. In the second place, there is also the possibility that it may be merely the first step toward an eventual proposal that by some other legislation in the future the reversionary clause will be removed.

We must face the question of whether we will countenance that kind of give-away program.

I care not how many Senators say this is not a give-away. I know when I am losing \$26,000. I know that the people who own this property are having it given away by Congress today, if a majority vote prevails in favor of the bill this afternoon.

I do not believe it is right. In my judgment, it is a breakdown of a very sound policy of requiring that State bodies which seek Federal surplus property pay at least 50 percent of the appraised fair market value for the property.

Mr. KUCHEL. Mr. President, earlier today, on the Consent Calendar the Senate passed a bill by which the State of California agreed to purchase and the Government of the United States agreed to sell some 3 acres of property in the northern part of the State which thereafter will be used by the State Govern-

ment for a quarantine station. As the distinguished junior Senator from Oregon knows, the bill provided that the State should pay the fair market value. That was a case, Mr. President, of the Government of the United States, by the enactment of the bill, divesting itself completely of all title or claim to the property, of the State of California acquiring title to the property, and under the terms of the bill the State of California will be able to use it as the owner in fee simple.

While I am not thoroughly acquainted with all the background of the pending bill, Mr. President, an entirely different situation is involved. In this case the Department of Agriculture acquired property in the State of California to be utilized for certain experimental purposes, in the public interest. Now, by reason of the budgetary situation, it has seen fit not to ask for a continuance of appropriations to carry on the type of experiments which were being conducted there. So, Mr. President, under all the circumstances, the Department of Agriculture has suggested to a great public educational institution that it take over the land and the equipment and continue to pay for the type of experimental work for which the people of the United States heretofore have been paying.

I respectfully say that when my able and distinguished colleague from Oregon states that we are considering giveaway legislation, he is wrong. I make the contrast between the bill which we passed an hour ago, which provided for full compensation to be paid by the people of California, and this particular bill which provides that during the time the State government, acting through the State university, does the work for which the people of the Nation heretofore have been paying, it may use that property, and when it stops doing that work or refuses to continue doing it, the property shall revert to the people of the United States. There is no reason why anyone should object to this proposed legislation.

Mr. MORSE. Mr. President, I am not proposing that the University of California should pay 50 percent of the appraised fair market value of this property in fee simple. I am proposing that it pay 50 percent of the appraised fair market value of the property, including a reversionary clause.

Mr. President, many pieces of property are transferred commercially every day with various reversionary clauses attached to them, but they have tremendous value. This piece of property will cost the University of California less with reversionary clause attached to it than with the fee simple clause attached to it. I am not sure it would be good business to sell this piece of property for experimental purposes even with the reversionary clause attached to it, because, in my judgment, one of the holes in the argument of the Senator from California is that to all intents and purposes this property has not been an effective experiment station since 1933. It has been allowed to deteriorate since 1933. The Department of Agriculture has not been conducting scientifically controlled

experiments there, I am advised, for the past 18 years. So it is not a case of a going experiment station being transferred to the State of California. It is a piece of very valuable agricultural land that is being given to the University with a reversionary clause attached to it. All I am saying is that the same principle should apply as applies to a leasehold interest.

Suppose there were before us a proposal for some Government agency to lease a piece of Federal property—because we are not transferring fee-simple title—does the Senator from California take the position that we should give them the lease without cost? Of course not. We charge them 50 percent of the appraised fair market value of the leasehold interest. I am proposing that we charge them 50 percent of the appraised fair market value of this land with the reversionary clause attached. Why? Because it is property which all the taxpayers of the Nation own. I see no reason why we should make a donation to the University of California simply because some who are interested in the grape industry, or particularly some interested in making wine would like to have some experiments continue.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment, the question is on the third reading of the bill.

The bill was ordered to a third reading and was read the third time.

Mr. MORSE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Flanders	Martin
Barrett	Fulbright	Maybank
Beall	George	Morse
Bennett	Gillette	Russell
Bridges	Gore	Saltonstall
Burke	Hayden	Smith, N. J.
Bush	Hendrickson	Stennis
Butler, Md.	Hill	Upton
Capehart	Holland	Watkins
Clements	Johnson, Tex.	Wiley
Cordon	Kennedy	Williams
Daniel	Knowland	Young
Ellender	Kuchel	
Ervin	Mansfield	

Mr. SALTONSTALL. I announce that the Senator from Kentucky [Mr. COOPER], the Senator from Arizona [Mr. GOLDWATER], and the Senator from North Dakota [Mr. LANGER] are necessarily absent.

Mr. CLEMENTS. I announce that the Senators from New Mexico [Mr. ANDERSON and Mr. CHAVEZ], the Senator from Tennessee [Mr. KEFAUVER], the Senator from North Carolina [Mr. LENNON], and the Senator from Florida [Mr. SMATHERS] are absent on official business.

The Senator from Wyoming [Mr. HUNT] is necessarily absent.

The PRESIDING OFFICER (Mr. BENNETT in the chair). A quorum is not present.

Mr. KNOWLAND. Mr. President, I move the Sergeant at Arms be directed to request the attendance of absent Senators.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from California.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms is instructed to execute the order of the Senate.

After a little delay, Mrs. BOWRING, Mr. BRICKER, Mr. BUTLER of Nebraska, Mr. BYRD, Mr. CARLSON, Mr. CASE, Mr. DIRKSEN, Mr. DOUGLAS, Mr. DUFF, Mr. DWORSHAK, Mr. EASTLAND, Mr. FERGUSON, Mr. FREAR, Mr. GREEN, Mr. HENNING, Mr. HICKENLOOPER, Mr. HUMPHREY, Mr. IVES, Mr. JACKSON, Mr. JENNER, Mr. JOHNSON of Colorado, Mr. JOHNSTON of South Carolina, Mr. KERR, Mr. KILGORE, Mr. LEHMAN, Mr. LONG, Mr. MAGNUSON, Mr. MALONE, Mr. McCARRAN, Mr. MCCARTHY, Mr. MCCLELLAN, Mr. MILLIKIN, Mr. MONRONEY, Mr. MUNDT, Mr. MURRAY, Mr. NEELY, Mr. PASTORE, Mr. PAYNE, Mr. POTTER, Mr. PURTELL, Mr. ROBERTSON, Mr. SCHOEPEL, Mrs. SMITH of Maine, Mr. SPARKMAN, Mr. SYMINGTON, Mr. THYE, and Mr. WELKER entered the Chamber and answered to their names.

The PRESIDING OFFICER. A quorum is present.

House bill 3097 having been read the third time, the question is, Shall it pass?

Mr. MORSE. Mr. President, on this question I ask for the yeas and nays.

The yeas and nays were not ordered.

The PRESIDING OFFICER. The question is, Shall the bill (H. R. 3097) pass? [Putting the question.]

The "ayes" seem to have it.

Mr. MORSE. Mr. President, I ask for a division.

On a division, the bill was passed.

TRANSPORTATION OF WATERBORNE CARGOES

Mr. KNOWLAND. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1597, Senate bill 3233, to amend the Merchant Marine Act, 1936, to provide permanent legislation for the transportation of a substantial portion of waterborne cargoes in United States-flag vessels.

The motion was agreed to; and the Senate proceeded to consider the bill (S. 3233) to amend the Merchant Marine Act, 1936, to provide permanent legislation for the transportation of a substantial portion of waterborne cargoes in United States-flag vessels, which had been reported from the Committee on Interstate and Foreign Commerce with amendments.

Mr. BUTLER of Maryland. Mr. President, the bill was discussed at some length during the call of the calendar. At that time only one objection was made to the bill. It was suggested by the Senator from Delaware [Mr. WILLIAMS], the Senator from New Jersey [Mr. HENDRICKSON], and the Senator from Tennessee [Mr. GORE] that on page 2, line 12, the word "market" inserted by the committee be stricken, and that the words "fair and reasonable", originally a part of the bill, be reinstated. I am willing to accept that amendment or rather I ask the Senate to disagree to the committee amendment. Unless

Public Law 430 - 83d Congress
Chapter 402 - 2d Session
H. R. 3097

AN ACT

All 68 Stat. 299.

To authorize the transfer to the regents of the University of California, for agricultural purposes, of certain real property in Napa County, California.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture is authorized and directed to transfer and convey to the regents of the University of California, upon acceptance by said regents, without cost, the real property comprising twenty acres, more or less, together with the buildings and improvements thereon, constituting the United States Grape Field Station located near Oakville in the county of Napa, State of California. Such property shall be transferred upon the express condition that it shall be used by the regents of the University of California for the benefit of agriculture. In the event that the regents of the University of California shall at any time cease to use such property for such purposes, or attempt to alienate all or any part thereof, all right, title, and interest in and to the said property shall revert to the United States. Any conveyance of this property shall contain a reservation to the United States of all gas, oil, coal, and other minerals and all fissionable materials as may be found in such lands and the right to the use of the lands for extracting and removing same.

University of
California.
Land transfer.

Conditions.

Approved June 28, 1954.

